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NEW ZEALAND.

PARLIAMENTARY DEBATES.

First Session of the Seventh Parliament.

LEGISLATIVE COUNCIL AND HOUSE OF REPRESENTATIVES.

Thirty-third Volume.

COMPRISING THE PERIOD FROM THE
THIRTY-FIRST DAY OF OCTOBER TO THE TWENTY-SIXTH DAY OF NOVEMBER, 1879.



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INDEX

TO

PARLIAMENTARY DEBATES,

VOLUME XXXIII.

EXPLANATION OF ABBREVIATIONS.

Int., Introduction of Bill.—1R. 2R. 3R., First, Second, or Third Reading.—Dis., Discharged.—h., House of Representatives.—l.c., Legislative Council.—Adj., Adjournment or Adjourned.—Amend., Amendment.—cl., Clause.—Com., Committee of the whole House or Committed.—Recom., Recommended or Recommittal.—Sel. Com., Select Committee.—Conf., Conference.—Cons., Consideration.—Deb., Debate.—Expl., Explanation.—Instr., Instruction.—m., Motion.—Obs., Observation.—q., Question.—m.q., Main Question.—p.q., Previous Question.—Rep., Report.—r.p., Report Progress.—Res., Resolution.

 The * to pages in index of speeches of members of the Legislative Council denotes that those speeches have been corrected by members.

A.

Abolition of Imprisonment for Debt Bill,
h., Com. 366

ACLAND, Hon. J. B. A., *Canterbury*,
Local Bills, m. 338,* 340,* 373*
Timaru County, q. 48; m. 265,* 267*
Triennial Parliaments Bill, 2R. 328

ADAMS, Mr. W. A. B., *Nelson City*,
Civil Servants' Salaries, m. 515
Licensing Bill (No. 2), m. 160
Native Affairs Committee: Summoning Witness
in Custody, m. 149
Parliamentary Papers to Local Bodies, m. 357
Railway Construction, m. 122
Supply—
Class IV., 427, 483

Addington Railway Workshops,
h., q. (Mr. Dick), 377

Administration Bill,
l.c., 3R. 219
h., 1R. 221

Agent-General,
h., q. (Mr. Gisborne), 10; (Mr. George), 134
l.c., q. (Hon. Sir F. Dillon Bell), 334, 335

Akaroa Post and Telegraph Office,
h., q. (Mr. Montgomery), 193

Alexandra Corporation Reserve Boundaries Bill,
h., 1R. 192; 2R. 377

Allen and Kingstreet,
h., m. (Mr. Macandrew), 234

ALLWRIGHT, Mr. H., *Lyttelton*,
Lyttelton Police Station, &c., q. 134

Anderson's Bay Road,
h., q. (Mr. Barron), 193

ANDREWS, Mr. S. P., *Christchurch City*,
Christchurch Petty Sessions Court, q. 332
Elective Council Bill, 2R. 263
Hansard, m. 230
High School Reserves Bill, 2R. 360
Qualification of Electors Bill, 2R. 27; Recom.
276
Railway Benefit Society, q. 168
Railway Employés, q. 168
Regulation of Elections Bill, 2R. 45
Supply—
Class IV., 427, 430, 431, 486, 489
Class VII., 498
Sydenham Petty Sessions Court, q. 331
Sydenham Post Office, q. 331
Triennial Parliaments Bill, 2R. 47
Wanganui Endowed School Bill, Com. 390, 398
War Materials, q. 505

Appeals against Valuations,
l.c., m. (Hon. Mr. Waterhouse), 367

Appeals from Justices Bill,
h., 1R. 432

Aroha Block,
h., q. (Mr. Sheehan), 434

Artillery Corps,
h., q. (Mr. Shanks), 344, 434

Ashburton County Council Waterworks Bill,
h., 3R. 100
l.c., 1R. 132, 313

Ashley Gorge Bridge,
h., q. (Mr. Moorhouse), 505

ATKINSON, Major, *Egmont* (Colonial Treasurer,
Commissioner of Stamps, and Commissioner
of Customs),
Canterbury Local Bodies, q. 107
Coal Import, q. 166
Coasting Trade, m. 481
Elective Council Bill, 2R. 263
Financial Statement, 294, 303
Fire Brigades, q. 330
Gold Duties Abolition Bill, 2R. 216
Hop-Growing, q. 166
Land Claims Arbitration Bill, 2R. 365
Land-Tax, q. 435
Maori Prisoners, m. 67
Miners' Rights Fees Reduction Bill, 2R. 213
Native Affairs Committee: Summoning Wit-
ness in Custody, m. 103
Native Leases, q. 109
Okarito Light, q. 504
Order of Business, Obs. 418
Piako Swamp, q. 67
Property-Tax, q. 344
Provincial Expenditure and Receipts, q. 193
Public Works Contracts, Obs. 293
Railway Construction, m. 115
Rees's (Mr.) Charge for Legal Advice, m. 355
Supply—
Com., 453
Class IV., 428, 432, 432, 488
Taranaki Iron-Smelting Works Lands Bill, m.
531
Telegrams for Electioneering Purposes, m. 239,
250
Wellington Reclaimed Land, q. 193

Auckland College and Grammar School Bill,
h., 2R. 129

Auckland Defence Force,
h., m. (Mr. Hamlin), 355

Auckland Government Contractor,
h., q. (Mr. Swanson), 67

Auckland Harbour Board Bill,
h., 2R. 377

*Auckland Improvement Commissioners Transfer
of Powers Bill*,
h., Com. 398

Auckland Loans Consolidation Bill,
h., 3R. 192
l.c., 1R. 219

Auckland Railway Workshops,
h., q. (Mr. Tole), 221, 272; m. (Mr. Hamlin),
378

Auckland Roads and Bridges,
h., m. (Mr. Whitaker), 350

Auckland-Taupo Railway,
h., q. (Mr. Ballance), 167

Awatere Shearing Reserve Bill,
l.c., m. (Hon. Captain Baillie), 61
h., 1R. 100; 2R. 235; Com. 381

B.

BAILLIE, Hon. Captain W. D. H., *Marlborough*,
Chairman of Committees,
Awatere Shearing Reserve Bill, m. 61
Local Bills, m. 48, 99
Otago University Bill, m. 337
Select Committees, m. 1

BAIN, Mr. J. W., *Invercargill*,
Balclutha Bridge, m. 222
Indecent Performances, q. 193
Invercargill Benevolent Institutions, q. 505
Invercargill Gaol, q. 109
Invercargill Mining Companies, q. 271, 435

Balclutha Bridge,
h., m. (Mr. Thomson), 222

BALLANCE, Mr. J., *Wanganui*,
Auckland-Taupo Railway, q. 167
Qualification of Electors Bill, Com. 173, 182
Representation Bill, 2R. 87
Reprint of Statutes, q. 166
Supply—
Class IV., 425, 428
Taranaki Iron-Smelting Works Lands Bill, 2R.
524, 530; m. 530, 531
Titanic Steel Company, q. 330
Wanganui Coal, q. 221
Wanganui Endowed School Bill, Com. 394,
398
Wanganui-Patea Railway, q. 167

BARRON, Mr. W., *Caversham*,
Anderson's Bay Road, q. 193
Lands open for Occupation, q. 381
Native Coal for Railways, q. 180, 181
North Taieri Road, q. 506
Provincial Expenditure and Receipts, q. 192
Qualification of Electors Bill, Recom. 279
Regulation of Elections Bill, Com. 333

Barton., J., and Others,
h., q. (Mr. Reid), 221

BETHAM, Mr. G., *Wairarapa*,
Qualification of Electors Bill, 2R. 22

- BELL, Hon. Sir F. DILLON, Otago,**
 Agent-General, *q.* 334,* 335*
 Appeals against Valuations, *m.* 368*
 Awatere Shearing Reserve Bill, *m.* 61*
 Christchurch Drill-shed Bill, 2*r.* 373*
 Consolidated Fund, *q.* 132*
 District Courts Bill, 2*r.* 411*
 Elections Validation Bill, 2*r.* 189*
 Hawke's Bay and Marlborough Rivers Bill, 2*r.* 58,* 341,* 342*
 Lawrence Athenæum and Mining Institute Bill, 2*r.* 503*
 Local Bills, *m.* 52,* 175,* 268,* 338,* 340*
 Lunatic Asylums, *m.* 62,* 63*
 Miners' Rights Fees Reduction Bill, 2*r.* 415
 Mines Bill, 2*r.* 503*
 Oamaru Waterworks Bill, *Com.* 188*
 Otago University Bill, 2*r.* 185,* 186,* 187,*
m. 336*
 Otago Waste Lands, *m.* 184
 Paramene to Oneone *v.* Kinross, *m.* 57*
 Patents Bill, 2*r.* 503*
 Personal Explanation, 219*
 Public Accounts, *m.* 313,* 314*
 Qualification of Electors Bill, 2*r.* 403*
 Timaru County, *m.* 267*
 Triennial Parliaments Bill, 2*r.* 321*
 University Reserves, *m.* 59,* 60*
- BOWEN, Mr. C. C., Kaiapoi,**
 Grahamstown-Te Aroha Railway, *m.* 349
 High School Reserves Bill, 2*r.* 359
 Kaiapoi Railway Station, *q.* 433
 New Zealand Constitution Act 1852 Amend-
 ment Bill, *m.* 507
 Public Accounts, *m.* 226
 Qualification of Electors Bill, *Recom.* 280
 Rangiora Railway Platform, *q.* 432
 Rees's (Mr.) Charge for Legal Advice, *m.* 352
 Supply—
 Class III., 502
 Class IV., 482, 485, 486, 487
 Class VII., 495
 Wanganui Endowed School Bill, *Com.* 387
- BRANDON, Mr. A. DE B., Wellington Country,**
 Elections Validation Bill, 2*r.* 172
 High School Reserves Bill, 2*r.* 358, 361
 Qualification of Electors Bill, 2*r.* 12; *Recom.* 276
 Representation Bill, 2*r.* 73
 Triennial Parliaments Bill, 2*r.* 47
- BRETT, Hon. Colonel, Canterbury,**
 Christchurch Drill-shed Bill, 2*r.* 373,* 376*
 Harbour Defences, *m.* 270,* 399*
 Lunatic Asylums, *m.* 6*
 Oamaru Waterworks Bill, 2*r.* 162,* 165*
 Railway Tariff, *m.* 316*
 Timaru County, *m.* 266
 Triennial Parliaments Bill, 2*r.* 320*
- Brighton-Kaitangata and Outram-Clarendon
 Railway,*
h., q. (Mr. Murray), 433
- BROWN, Mr. J. C., Tuapeka,**
 Representation Bill, 2*r.* 73

- BRYCE, Mr. J., Wanganui (Native Minister),**
 Auckland-Taupo Railway, *q.* 167
 Buller, Dr., *q.* 505
 Edmonds, S. J., *q.* 178
 Greymouth Native Reserves, *q.* 167
 Lands Returned to Maoris, *m.* 228
 Maori Prisoners, *m.* 69
 Maori Representation Bill, 2*r.* 83, 84
 Native Affairs, *q.* 133
 Native Expenditure, *q.* 67
 Native Land Purchases, *q.* 343, 344
 Native Petitions, *m.* 346
 Native Reserves Vesting Bill, 2*r.* 124, 207,
 208
 Rees's (Mr.) Charge for Legal Advice, *m.* 351,
 352, 354
 Representation Bill, 2*r.* 83
 Te Kaha, W., *m.* 203, 204
 Waikato Surveys, *q.* 108
 Wanganui Endowed School Bill, *Com.* 384
 West Coast Native Reserves, *q.* 344
- BUCKLEY, Hon. G., Canterbury,**
 Appeals against Valuations, *m.* 373*
 Christchurch Drill-shed Bill, 2*r.* 374,* *Com.* 504
 Elections Validation Bill, 2*r.* 190*
 Local Bills, *m.* 176,* *Com.* 184; *m.* 338,*
 339,* 340*
 Oamaru Waterworks Bill, 2*r.* 162,* 164,*
Com. 188
 Patents Bill, 2*r.* 503
 Railway Tariff, *m.* 314,* 341*
 Select Committees, *m.* 1,* 3*
 West Coast Maori Disturbances, *q.* 48
- BUCKLEY, Hon. P. A., Wellington,**
 Maori Prisoners, *q.* 99*
 Miners' Rights Fees Reduction Bill, 2*r.* 412
 Protection of Animals Bill, 2*r.* 471
 Qualification of Electors Bill, 2*r.* 408
 Supreme Court Practice, *q.* 99*
 Wellington Railway Station, *q.* 265
- Building Societies Bill,*
*l.c., 1*r.* 219; 2*r.* 318*
*h., 1*r.* 342*
- BUNNY, Mr. H., Wairarapa,**
 Marsh, J., *q.* 181
 Railway Construction, *m.* 123
- C.**
- Cambridge Courthouse,*
h., q. (Mr. Whyte), 67
- Canterbury Local Bodies,*
h., q. (Mr. Saunders), 107
- Canterbury Rivers Bill,*
*h., 2*r.* 377*
- CHAMBERLIN, Hon. H., Auckland,**
 Fencing, *m.* 469*
 Fencing Bill, *Com.* 270, 330
 Triennial Parliaments Bill, 2*r.* 326, 328

Chinese Immigration Regulation Bill,
h., 1B. 66

Christchurch District Drainage Bill,
h., 1B. 271

Christchurch Drill-shed Bill,
h., Com. 132; 3B. 133
l.c., 1B. 174; 2B. 373; Com. 504; 3B. 531

Christchurch Petty Sessions Court,
h., q. (Mr. Andrews), 332

Church Property Trust (Canterbury) Bill,
h., 3B. 8
l.c., 2B. 160

Civil Service,
h., q. (Mr. Reid), 432; m. (Mr. Murray), 509

Civil Servants' Salaries,
h., m. (Mr. Andrews), 514

Clutha Harbour Board Borrowing Bill,
h., 1B. 376

Coal Fields,
h., q. (Mr. Murray), 184

Coal Import,
h., q. (Mr. Lundon), 166

Coasting Trade,
h., m. (Mr. Moss), 479

COLBECK, Mr. W. H., Marsden,
Farnall, H. W., m. 511
Parua Bay Wharf, q. 180
Public Works North of Auckland, m. 475

Collingwood Election,
h., m. (Mr. Gibbs), 228

Collingwood-Karamaea Road,
h., q. (Mr. Gibbs), 343

Consolidated Fund,
l.c., q. (Hon. Sir F. Dillon Bell), 132

Corrupt Practices Prevention Bill,
h., 2B. 45

Counties Bill,
h., 2B. 377

Courts,
h., q. (Mr. Hislop), 10

D.

Dargaville Telegraph Station,
h., q. (Mr. Moss), 432

Debtors and Creditors Bill,
h., 2B. 432

Deferred-Payment Land,
h., m. (Mr. Ormond), 355

DE LAUTOUR, Mr. C. A., Mount Ida,
Awatere Shearing Reserve Bill, Com. 381, 382
Elective Council Bill, 2B. 261
Farnall, H. W., m. 511
Hansard, m. 233, 224, 232
High School Reserves Bill, 2B. 358, 363
McCready, D., m. 508
Native Affairs Committee: Summoning Witness
in Custody, m. 102, 143, 150, 151, 152
Nelson South-West Gold Fields, m. 519
Protection of Animals Bill, Com. 366
Public Accounts, m. 225, 226
Qualification of Electors Bill, 2B. 39; Recom.
280
Questions, m. 204
Representation Bill, 2B. 72
Supply—
Class III., 501
Class IV., 429
Class VII., 498
Tariff, m. 381
Triennial Parliaments Bill, Com. 97
Wanganui Endowed School Bill, Com. 394

DICK, Mr. T., City of Dunedin,
Addington Railway Workshops, q. 377
Dunedin Railway Workshops, q. 167
Habitual Drunkards, q. 168
Members of General Assembly Expenses Bill,
2B. 436
Native Affairs Committee: Summoning Wit-
ness in Custody, m. 153
Qualification of Electors Bill, 2B. 30; Recom.
273
Railway Construction, m. 119
Supply—
Class IV., 490
Taieri River Floods, m. 228
Theatrical Performances, m. 224

District Courts Bill,
h., Com. 210; 3B. 343
l.c., 1B. 367; 2B. 411

District Courts Proceedings Validation Bill,
l.c., 1B. 174; 2B. 188; 3B. 219
h., 1B. 221; 2B. 343

District Law Societies Bill,
l.c., 1B. 219; 2B. 264; 3B. 264
h., 2B. 343

Divisions,
h., Abolition of Imprisonment for Debt Bill, Com.
366
Auckland Improvement Commissioners Trans-
fer of Powers Bill, Com. 398
Auckland Railway Workshops, m. 379
Auckland Roads and Bridges, m. 351
Awatere Shearing Reserve Bill, Com. 382
Christchurch Drill-shed Bill, Com. 132
District Courts Bill, Com. 210
Elections Validation Bill, Com. 172
Elective Council Bill, 2B. 264
Gold Duties Abolition Bill, 2B. 219
Gold-Mining, m. 508
Grey Valley Petition, m. 234
Hansard, m. 233, 234

Divisions—continued.

- Harbour Defences, *m.* 400
 Land Transfer Bill, Com. 210
 Licensing Bill (No. 2), Com. 160
 Local Bills, Com. 184, 185
 Miners' Rights Fees Reduction Bill, 2*R.* 216;
 Com. 364
 Native Affairs Committee: Summoning Wit-
 ness in Custody, *m.* 106, 157
 Nelson South-West Gold Fields, *m.* 523
 Onehunga Water Reserve Bill, Com. 159
 Protection of Animals Bill, Com. 366
 Qualification of Electors Bill, Com. 173, 182,
 183, 282, 291, 292
 Registration of Electors Bill, Com. 293, 332
 Regulation of Elections Bill, Com. 333, 334,
 437, 438
 Representation Bill, 2*R.* 74
 Supply—
 Com. 468
 Class IV., 431, 488
 Taranaki Iron-Smelting Works Lands Bill, *m.*
 530
 Tariff, *m.* 114
 Timaru County, *m.* 358
 Triennial Parliaments Bill, Com. 97, 98; 3*R.*
 170
 Wanganui Endowed School Bill, Com. 395, 396,
 397, 398
L.c., Christchurch Drill-shed Bill, Com. 504
 Fencing Bill, Com. 330
 Miners' Rights Fees Reduction Bill, 2*R.* 417
 Qualification of Electors Bill, Com. 470

Divorce Courts,

h., *q.* (Mr. Turnbull), 66

Dramatic Works Copyright Bill,

h., 3*R.* 192

Dunedin Railway Workshops.

h., *q.* (Mr. Dick), 167

E.*East and West Coast Railway, Middle Island,*

h., *q.* (Mr. Seddon), 180

Edendale-Fortrose Railway,

h., *q.* (Mr. Shanks), 506

Election Petitions Bill,

h., 2*R.* 46

Elections, 1875-76,

h., *q.* (Mr. Hislop), 10*

Elections Validation Bill,

h., 1*R.* 100; 2*R.* 170; 3*R.* 173
l.c., 1*R.* 174; 2*R.* 189; 3*R.* 264

Elective Council Bill,

h., 1*R.* 100; 2*R.* 255

Electoral Acts Repeal Bill,

h., 2*R.* 8

Electors,

h., *m.* (Mr. Murray), 355

Emigration Agents,

l.c., *q.* (Hon. Mr. Miller), 531

Emigration Land Orders,

h., *q.* (Mr. Gibbs), 194

F.*Farnall, H. W.,*

h., *m.* (Captain Colbeck), 511

Fencing,

l.c., *m.* (Hon. Mr. Chamberlin), 469

Fencing Bill,

l.c., 2*R.* 48; Com. 270, 330

Financial Statement,

h. (Major Atkinson), 294

Fine Arts Copyright Bill,

l.c., 1*R.* 218; 3*R.* 469

FINN, Mr. H. J., Wakatipu,

Gold-Mining, *m.* 507

Lake Wakatipu Agricultural Land, *q.* 506

Supply—

Class III., 500

Class IV., 484

Fire Brigades,

h., *q.* (Mr. Stevens), 330

Fisheries Preservation Bill,

l.c., 2*R.* 174; Dis. 330

FISHER, Mr. J. B., Buller,

Nelson South-West Gold Fields, *m.* 316, 517,
 522

Stitt, A., *m.* 514

Supply—

Class III., 501

Class IV., 484, 485, 487

Class VII., 498

Telegrams for Electioneering Purposes, *m.* 253

Westport-Ngakawhau Railway, *q.* 433

FISHER, Mr. J. T., Heathcote,

Native Affairs Committee: Summoning Wit-
 ness in Custody, *m.* 157

Protection of Animals Bill, 2*R.* 159

Supply—

Class IV., 425, 431, 487, 488, 490

Telegrams for Electioneering Purposes, *m.* 252,
 288

Forest Trees Planting Encouragement Bill,

h., 1*R.* 221; 2*R.* 377

FRASER, Hon. T., Otago,

Appeals against Valuations, *m.* 369

Christchurch Drill-shed Bill, 2*R.* 374

Elections Validation Bill, 2*R.* 190, 192

FRASER, Hon. T.—*continued.*

- Hawke's Bay and Marlborough Rivers Bill, 2R. 58
 Local Bills, *m.* 50, 51, 99, 177
 Lunatic Asylums, *m.* 7,* 63, 133
 Miners' Rights Fees Reduction Bill, 2R. 414
 Mines Bill, 2R. 503
 Protection of Animals, 2R. 471
 Qualification of Electors Bill, 2R. 409*
 Railway Tariff, *m.* 318*
 Select Committees, *m.* 1*
 Telegrams, *q.* 313
 Timaru County, *m.* 267, 327
 Triennial Parliaments Bill, 2R. 326*
 University of Otago Bill, 2R. 187
 University Reserves, *m.* 60

FULTON, Mr. J., *Taiieri*,

- Tariff, *m.* 113
 Wanganui Endowed School Bill, Com. 392
 Width of Streets and Roads Bill, *m.* 380

G.

Gaming and Lotteries Bill,

- l.c.*, 2R. 48; 3R. 99
h., 1R. 100

Gaol Officials,

- h.*, *q.* (Mr. Tole), 343

GEORGE, Mr. S. T., *Rodney*,

- Agent-General, *q.* 134
 Civil Servants' Salaries, *m.* 515
 Government Advertising and Printing, *q.* 221
Hansard, *m.* 230
 High School Reserves Bill, 2R. 359
 Honorarium, *q.* 194
 Maori Representation Bill, 2R. 79
 Miners' Rights Fees Reduction Bill, 2R. 213
 Money-Order Offices, *q.* 110
 Public Works North of Auckland, *m.* 475
 Qualification of Electors Bill, Com. 273
 Railway Construction, *m.* 116
 Regulation of Elections Bill, 2R. 44
 Representation Bill, *m.* 72
 Roa ls, *q.* 180
 Rodney Roads, *m.* 511, 513
 Spirits and other Duties, *m.* 345
 Supply—
 Class III., 502
 Class IV., 432, 485, 487, 490, 492
 Wellington-Foxton Railway, *q.* 107
 Wellington Reclaimed Land, *q.* 193

GIBBS, Mr. W., *Collingwood*,

- Collingwood Election, *m.* 228
 Collingwood-Karama Road, *q.* 343
 Emigration Land Orders, *q.* 194
Hansard, *m.* 232
 Miners' Rights Fees Reduction Bill, 2R. 213
 Native Reserves Vesting Bill, 2R. 210
 Nelson Mining Leases, *q.* 433
 Otago Roads and Bridges, *m.* 228
 Qualification of Electors Bill, Com. 276
 Rees's (Mr.) Charge for Legal Advice, *m.* 353
 Registration of Electors Bill, 2R. 42

GIBBS, Mr. W.—*continued.*

- Regulation of Elections Bill, 2R. 44
 Supply—
 Class VII., 498
 Waipahi-Pomahaka Railway, *m.* 201
 Wanganui Endowed School Bill, Com. 392

Gisborne Bridge,

- h.*, *q.* (Mr. McDonald), 435

GISBORNE, Mr. W., *Totara*,

- Agent-General, *q.* 10
 Awatere Shearing Reserve Bill, Com. 382
 Coasting Trade, *m.* 481
 Financial Statement, *m.* 303
 Grahamstown-Te Aroha Railway, *m.* 348, 349
 Greymouth Native Reserves, *q.* 167
Hansard, *m.* 229
 Higher Education, *q.* 9
 High School Reserves Bill, 2R. 359, 362
 Hokitika-Jackson's Bay-Otago Railway Line, *q.* 193
 Jackson's Bay Wharf, *q.* 179
 Local Bills, *m.* 223
 Maori Prisoners, *m.* 69
 Middle Island Branch Railways, *m.* 110
 Native Affairs Committee: Summoning Witness in Custody, *m.* 104, 136, 156
 Native Land Purchases, *q.* 343
 Native Reserves Vesting Bill, 2R. 127, 206
 Nelson South-West Gold Fields, *m.* 520
 Okarito Light, *q.* 504
 Okarito Road, *q.* 221
 Property-Tax, *q.* 343
 Protection of Animals Bill, 2R. 159
 Public Accounts, *m.* 227
 Public Works Loan, *q.* 167
 Qualification of Electors Bill, 2R. 19
 Questions, *m.* 205
 Rees's (Mr.) Charge for Legal Advice, *m.* 354
 Representation Bill, *m.* 72
 Subsidies, *m.* 421
 Supply—
 Class IV., 482, &c., 490
 Class VII., 494, 496
 Tariff, *m.* 112
 Telegrams for Electioneering Purposes, *m.* 238, 253, 287
 Timaru County, *m.* 195
 Wanganui Endowed School Bill, Com. 392
 Wellington Reclaimed Land, *q.* 193
 West Coast Public Works, *q.* 66
 Westland Waste Lands, *q.* 9

Gold Duty Abolition Bill,

- h.*, 1R. 66; 2R. 216

Gold-Mining,

- h.*, *m.* (Mr. Finn), 507

Government Advertising and Printing,

- h.*, *q.* (Mr. McLean), 192; *q.* (Mr. George), 221

GRACE, Hon. M. S., *Wellington*,

- Harbour Defences, *m.* 269
 Lunatic Asylums, *m.* 3*
 Qualification of Electors Bill, 2R. 406*
 Triennial Parliaments Bill, 2R. 323*

Grahamstown—Te Aroha Railway,
h., m. (Mr. Murray), 348

GRAY, Hon. E., *Canterbury*,
Christchurch Drill-shed Bill, 2r. 375
Local Bills, m. 340

Greymouth and Hokitika Railway,
h., m. (Mr. Seddon), 228

Greymouth—Cobden Bridge,
h., q. (Mr. Reeves), 377

Greymouth Native Reserves,
h., q. (Mr. Gisborne), 167

GREY, Sir G., *Thames*,
Canterbury Local Bodies, q. 107
Elective Council Bill, 2r. 255
Financial Statement, m. 303
Locomotives, q. 331
Maori Representation Bill, 2r. 84
Native Affairs Committee: Summoning Wit-
ness in Custody, m. 102, 105
Native Reserves Vesting Bill, 2r. 124, 208, 210
Nelson South-West Gold Fields, m. 520
New Zealand Constitution Bill, m. 507
Prevention of Corruption Bill, 2r. 380
Public Works North of Auckland, m. 479
Qualification of Electors Bill, 2r. 11; Com. 277
Railway Construction, m. 117, 118, 120
Representation Bill, m. 69, 73
Subsidies, m. 421
Supply, m. 448
Telegrams for Electioneering Purposes, m. 236,
252; Obs. 283, 284
Thames Drill-hall, q. 505
Wanganui Endowed School Bill, Com. 384
Wellington—Foxton Railway, q. 158
West Coast Small Farms, q. 181

Grey Valley Petition,
h., m. (Mr. Reeves), 234

H.

Habitual Drunkards,
h., q. (Mr. Dick), 168

HALL, Mr. J., *Selwyn* (Premier, Colonial Secre-
tary, Postmaster-General, and Commissioner
of Telegraphs),
Agent-General, q. 10, 134
Akaroa Post and Telegraph Office, q. 193
Artillery Corps, q. 344, 434
Auckland Roads and Bridges, m. 350
Awatere Shearing Reserve Bill, Com. 382
Civil Service, q. 433; m. 510
Collingwood Election, m. 229
Corrupt Practices Prevention Bill, 2r. 45
Courts, q. 10
Dargaville Telegraph Station, q. 432
Divorce Courts, q. 66
Election Petitions Bill, 2r. 46
Elections, 1875-76, q. 10
Elections Validation Bill, 2r. 170, 172
Grahamstown—Te Aroha Railway, m. 340

HALL, Mr. J.—*continued*.

Government Advertising and Printing, q. 192,
222
Habitual Drunkards, q. 168
Hansard, m. 224, 230
High School Reserves Bill, 2r. 363
Honorarium, q. 194
Hurst, W. J., q. 505
Indecent Performances, q. 193
Invercargill Mining Companies, q. 271, 435
Kanieri County, q. 331
Land-Tax, q. 135
Late Elections, q. 11; m. 356
Local Bills, m. 222
Mahia Telegraph Station, q. 271
Maori Representation Bill, 2r. 74, 96
Marsh, J., q. 182
Members of General Assembly Expenses Bill,
2r. 435, 436
Middle Island Branch Railways, m. 110
Mineral Springs, q. 331
Minister of Mines, q. 134
Native Affairs Committee: Summoning Witness
in Custody, m. 101, 135, 136, 145, 150
Nelson South-West Gold Fields, m. 515, 520
Newmarket Post Office, q. 180, 222
New Zealand Constitution Bill, m. 507
Parliamentary Papers to Local Bodies, m. 357
Parliament Buildings Wire, q. 506
Patents Act, q. 66
Press Telegraph Wire, m. 110
Prevention of Corruption Bill, 2r. 380
Public Accounts, m. 225, 226
Public Analysts, q. 179
Public Trust Funds, m. 111
Public Works Loan, q. 167
Qualification of Electors Bill, 2r. 11, 40; Rep.
Com. 272, 275, 280
Questions, m. 205
Rabbit Nuisance, q. 10
Rating Bill, 2r. 206
Rees's (Mr.) Charge for Legal Advice, m. 354
Registration of Electors Bill, 2r. 41
Regulation of Elections Bill, 2r. 43
Representation Bill, m. 70
Roads, q. 180
Rodney Roads, m. 513
Saddlery for Armed Constabulary, q. 433
Spirits and other Duties, m. 345
Stitt, A., m. 514
Subsidies, m. 420
Supply—
Class IV., 424, &c., 482, &c.
Class VII., 498
Sydenham Post Office, q. 331
Tariff, m. 113, 381
Thornbury—Otautau Telegraph, q. 435
Tea and Sugar Duties, q. 9
Telegrams for Electioneering Purposes, m. 235,
237, 251, 283, 284, 290
Thames Drill-hall, q. 505
Timaru County, q. 195; m. 358
Town Boards, q. 134
Triennial Parliaments Bill, 2r. 47; Com. 168
Waihoia Petitions, q. 611
War Materials, q. 505
Wellington—Foxton Railway, Obs. 106; q. 158
West Coast Public Works, q. 66

HALL, Mr. J.—continued.

Wilkinson, W., *m.* 204
Worgan, G. B., *q.* 432

Hamilton Public Hall Site Bill,

h., 2R. 133; 3R. 343
l.c., 1R. 367; 2R. 502

HAMLIN, Mr. E., Franklin,

Auckland Defence Force, *m.* 355
Auckland Railway Workshops, *m.* 378, 379
Hansard, *m.* 233
Manukau County Court Districts, *q.* 181
Native Affairs, *q.* 133
Native Affairs Committee: Summoning Witness in Custody, *m.* 100, 138, 155, 313
Native Expenditure, *q.* 67
Qualification of Electors Bill, Com. 281
Rating Bill, 2R. 206
Telegrams for Electioneering Purposes, *m.* 242
Worgan, G. B., *q.* 432

Hansard,

h., *m.* (Mr. De Lautour), 223; *m.* (Mr. Saunders), 229

Harbour Defences,

l.c., *m.* (Hon. Colonel Whitmore), 269; *m.* (Hon. Mr. Wilson), 399

HARRIS, Major B., Franklin,

Auckland Roads and Bridges, *m.* 350
Qualification of Electors Bill, 2R. 40
Rodney Roads, *m.* 513
Supply—
Class IV., 431

HART, Hon. R., Wellington,

Oamaru Waterworks Bill, 2R. 162

Hauhaui Tramway Company,

h., *m.* (Mr. Reid), 227

Hawke's Bay and Marlborough Rivers Bill,

l.c., 2R. 57, 100, 341

Hawke's Bay Rivers Bill,

h., 2R. 100

Higher Education,

h., *q.* (Mr. Gisborne), 9

High School Reserves Bill,

h., 1R. 166; 2R. 358

HIRST, Mr. H., Wallace,

Lumsden-Mararoa Railway, *q.* 67
Riverton District Court, *q.* 133
Southland Railways, *q.* 435
Thornbury-Otautau Telegraph, *q.* 435

HISLOP, Mr. T. W., Waitaki,

Courts, *q.* 10
Election Petitions Bill, 2R. 46
Elections, 1875-76, *q.* 10
High School Reserves Bill, 2R. 360
Late Elections, *m.* 356

HISLOP, Mr. T. W.—continued.

Native Affairs Committee: Summoning Witness in Custody, *m.* 105
Nelson South-West Gold Fields, *m.* 522, 523
Qualification of Electors Bill, 2R. 17; Rep. Com. 282
Railway Construction, *m.* 116
Rees's (Mr.) Charge for Legal Advice, *m.* 351, 355
Registration of Electors Bill, 2R. 42
Supply—
Class IV., 427, 430, 432
Class VII., 498
Telegrams for Electioneering Purposes, *m.* 240, 241, 254; Obs. 285
Wanganui Endowed School Bill, Com. 388
Wellington-Foxton Railway, *q.* 107

Hokitika and Greymouth Railway,

h., *m.* (Mr. Reid), 357

Hokitika Harbour,

h., *q.* (Mr. Reid), 272

Hokitika Harbour Board Endowment Bill,

h., 1R. 192; 2R. 343; 3R. 377
l.c., 1R. 399; 2R. 502; 3R. 531

Hokitika-Jackson's Bay-Otago Railway Line,

h., *q.* (Mr. Gisborne), 193

HOLMES, Hon. M., Otago,

Appeals against Valuations, *m.* 368*
Hawke's Bay and Marlborough Rivers Bill, 2R. 57,* 58*
Otago University Bill, Rep. Sel. Com. 335*
Railway Tariff, *m.* 310*
Select Committees, *m.* 2
Timaru County, *m.* 266*
Triennial Parliaments Bill, 2R. 327*
University Reserves, *m.* 59*

Honorarium,

h., *q.* (Mr. George), 194

Hop-growing,

h., *q.* (Mr. Shephard), 166

HURSTHOUSE, Mr. R., Motueka,

Miners' Rights Fees Reduction Bill, 2R. 214
Wanganui Endowed School Bill, Com. 389

HURST, Mr. W. J., Auckland City West,

Auckland College and Grammar School Bill, 2R. 130
Coasting Trade, *m.* 480
Public Trust Funds, *m.* 111
Supply—
Class III., 502
Class IV., 486, 487
Tariff, *m.* 112, 113
Wanganui Endowed School Bill, Com. 391

Hurst, W. J.,

h., *q.* (Mr. Shrimski), 505

HUTCHISON, Mr. W., Wellington City,

High School Reserves Bill, 2R. 359

HUTCHISON, Mr. W.—continued.

- Native Affairs Committee: Summoning Witness in Custody, *m.* 101
 Patents Act, *q.* 66
 Qualification of Electors Bill, 2*r.* 33
 Railway Construction, *q.* 168
 Representation Bill, *m.* 73
 Saddlery for Armed Constabulary, *q.* 433
 Supply—
 Class IV., 428
 Taranaki Iron-Smelting Works Lands Bill, 2*r.* 529
 Telegrams for Electioneering Purposes, *m.* 287
 Wanganui Endowed School Bill, Com. 386
 Wellington-Foxton Railway, *q.* 157

I.

Imprest Supply Bill (No. 3),
*l.c., 1*r.*, 2*r.*, and 3*r.* 57*
*h., 1*r.*, 2*r.*, and 3*r.* 74*

Imprest Supply Bill (No. 4),
*h., 1*r.*, 2*r.*, and 3*r.* 293*
*l.c., 1*r.*, 2*r.*, and 3*r.* 313*

Inch-Clutha Bill,
*h., 1*r.* 432*

Indecent Performances,
l.c., q. (Hon. Mr. Reynolds), 183
h., q. (Mr. Bain), 193

Intercolonial Probate Bill,
*l.c., 2*r.* 8, 48; 3*r.* 132*
*h., 1*r.* 133*

Invercargill Benevolent Institution,
h., q. (Mr. Bain), 505

Invercargill Gaol,
h., q. (Mr. Bain), 109

Invercargill Mining Companies,
h., q. (Mr. Bain), 271, 435

IRELAND, Mr. G., Waikaia,
 Coasting Trade, *m.* 481
Hansard, m. 233
 Mataura River Bridge, *q.* 192
 Qualification of Electors Bill, Com. 276
 Tapanui Railway, *q.* 108
 Waikaia Courthouse, *q.* 181
 Waimea Plains-Waikaia Railway, *q.* 67
 Waipahi-Pomahaka Railway, *m.* 198, 201, 208

J.

Jackson's Bay Wharf,
h., q. (Mr. Gisborne), 179

JOHNSON, Hon. G. R., Wellington,
 Otago University Bill, Rep. Sel. Com. 336
 Qualification of Electors Bill, 2*r.* 410³
 Reprint of Statutes, *q.* 43

JOHNSTON, Mr. W. W., Manawatu,
 Manawatu Resident Magistrate, *q.* 9
 Press Telegraph Wire, *m.* 109
 Supply—
 Class VII., 494, 496

K.

Kaiapoi Native Reserves,
l.c., q. (Hon. Mr. Tairaroa), 265

Kaiapoi Railway Station,
h., q. (Mr. Bowen), 433

Kaitangata and Wangaloa Athenaeums Reserves
Bill,
*h., 2*r.* 377*

Kanieri County,
h., q. (Mr. Seddon), 330

KELLY, Mr. T., New Plymouth,
 Awatere Shearing Reserve Management Bill,
 2*r.* 235
 Elections Validation Bill, 2*r.* 171
Hansard, m. 231
 Land Claims Arbitration Bill, 2*r.* 366
 Local Bills, *m.* 223
 Maori Representation Bill, 2*r.* 79
 Members of General Assembly Expenses Bill,
 2*r.* 436
 Native Affairs Committee: Summoning Witness in Custody, *m.* 101, 143, 152
 Native Coal for Railways, *q.* 181
 Native Lands Purchases, *q.* 344
 Native Reserves Vesting Bill, 2*r.* 206
 Public Trust Funds, *m.* 112
 Qualification of Electors Bill, Rep. 273
 Railway Construction, *m.* 115, 119, 120
 Rees's (Mr.) Charge for Legal Advice, *m.* 351
 Representation Bill, *m.* 70
 Supply—
 Class IV., 484, &c.
 Taranaki Iron-Smelting Works Lands Bill, 2*r.* 525, 527, 531
 Timaru County, *m.* 197
 Waipahi-Pomahaka Railway, *m.* 199

KENNY, Captain, Picton,
 Supply—
 Class III., 501

Kingston-Cromwell Railway,
h., q. (Mr. Pyke), 221

Kumara Reserves,
h., q. (Mr. Seddon), 134

Kumara Education Reserve Bill,
*h., 1*r.* 178; 2*r.* 343*

L.

LAHMANN, Hon. Henry, Westland,
 Miners' Rights Fees Reduction Bill, 2*r.* 414*
 Qualification of Electors Bill, 2*r.* 411*

Lake Wakatipu Agricultural Land,
h., q. (Mr. Finn), 506

Land Claims Arbitration Bill,
h., 1R. 8 ; 2R. 364

Land Drainage and Improvement Bill,
h., 1R. 166

Lands open for Occupation,
h., q. (Mr. Barron), 331

Lands Returned to Maoris,
h., m. (Major Te Wheoro), 227

Land-Tax,
h., q. (Mr. Seddon), 135
h., q. (Mr. Turnbull), 435

Land-Tax Bill,
h., 1R. 178

Land Transfer Bill,
h., Com. 210

Late Elections,
h., q. (Mr. Saunders), 11 ; m. (Mr. Saunders), 356

Lawrence Athenæum and Mining Institute Bill,
l.c., 1R. 132 ; 2R. 503

Leases and Sales of Settled Estates Bill,
l.c., 1R. 1 ; 2R. 48 ; 3R. 99
h., 1R. 100

LEVIN, Mr. W. H., *Wellington City,*
High School Reserves Bill, 2R. 362

Licensing Bill (No. 2),
h., Com. 160

Liverpool and London and Globe Insurance Company's Bill,
l.c., 3R. 160

Local Bills,
l.c., m. (Hon. Captain Baillie), 48, 99 ; m. (Hon. Mr. Waterhouse), 174 ; m. (Hon. Mr. Whitaker), 174, 184, 267 ; m. (Hon. Mr. Acland), 338, 373
h., m. (Mr. Richardson), 222

Local Paymasters,
h., q. (Mr. Reeves), 377

Locomotives,
h., q. (Sir G. Grey), 331

Lumsden-Mararoa Railway,
h., q. (Mr. H. Hirst), 67

Lunatic Asylums,
l.c., m. (Hon. Captain Fraser), 3 ; m. (Hon. Colonel Whitmore), 61 ; Obs. (Hon. Colonel Whitmore), 133

LONDON, Mr. J., *Mongonui and Bay of Islands,*
Auckland Railway Workshops, m. 378
Coal Import, q. 166
Civil Service, m. 511
Elective Council Bill, 2R. 264
Native Affairs Committee : Summoning Witness in Custody, m. 105, 154
Public Works North of Auckland, m. 473, 476, 477
Qualification of Electors Bill, 2R. 36 ; Rep. 273
Railway Construction, m. 123
Rodney Roads, m. 512, 513
Supply—
Com. 465
Class III., 500, &c.
Class IV., 426, &c.
Class VII., 499
Telegrams for Electioneering Purposes, m. 253
Triennial Parliaments Bill, 2R. 47
Waipahi-Pomahaka Railway, m. 203

Lyttelton Harbour Board Bill,
h., 3R. 100
l.c., 1R. 132

Lyttelton Police Station,
h., q. (Mr. Allwright), 134

M.

MACANDREW, Mr. J., *Port Chalmers,*
Allen and Kingstreet, m. 234
Auckland Railway Workshops, m. 378
Civil Service, m. 511
Collingwood Election, m. 228
Farnall, H. W., m. 511
Financial Statement, m. 302
Gold Duties Abolition Bill, 2R. 216
Grahamstown Te Aroha Railway, m. 349
High School Reserves Bill, 2R. 360
Late Elections, m. 356
Maori Representation Bill, 2R. 76
Native Petitions, m. 346
Nelson South-West Gold Fields, m. 516, 521, 522
New Zealand Constitution Act Amendment Bill, 2R. 507
Order of Business, q. 417
Public Works Contracts, Obs. 293
Public Works North of Auckland, m. 477
Qualification of Electors Bill, Rep. 273
Rees's (Mr.) Charge for Legal Advice, m. 355
Rodney Roads, m. 512
Subsidies, m. 422
Supply—
m. 438, 456, 457
Class IV., 483, &c.
Taranaki Iron-Smelting Works Lands Bill, 2R. 528
Telegrams for Electioneering Purposes, m. 235, 253, 255, 285
Waipahi-Pomahaka Railway, m. 198, 202, 203
Wanganui Endowed School Bill, Com. 387

Mahia Telegraph Station,
h., q. (Mr. Sutton), 271

Manawatu Resident Magistrate,
h., q. (Mr. Johnston), 9

MANTELL, Hon. W. B. D., *Wellington,*
Local Bills, m. 49, 52, 54, 99; Com. 184; m.
268, 269, 339
Oamaru Waterworks Bill, 2r. 161, 164
Paramene te Oncone, m. 57
Personal Explanation, m. 219, 220
Timaru County, m. 267
Wellington Cemetery, q. 469

Manukau County Court Districts,
h., q. (Mr. Hamlin), 181

Maori Members Election Validation Bill,
h., Dis. 377

Maori Prisoners,
h., m. (Major Atkinson), 67; q. (Mr. Tomoana),
67
l.c., q. (Hon. Mr. P. A. Buckley), 99

Maori Representation Bill,
h., 2r. 75

Maori Representation Bill (No. 2),
h., 1r. 330

Maori Translation of Bills,
l.c., m. (Hon. Mr. Taiaroa), 502

Marlborough Rivers District Union Bill,
h., 1r. 178; 2r. 343; 3r. 504
l.c., 1r. 531

Marquis of Normanby's Departure,
h., m. (Mr. McLean), 355

Married Women's Property Bill,
h., 1r. 432

Marsh, J.,
h., q. (Mr. Bunny), 181

Marton-Taupo Railway,
h., q. (Mr. Murray), 181

MASTERS, Mr. E., *Grey Valley,*
Gold Duties Abolition Bill, 2r. 217
Native Reserves Vesting Bill, 2r. 125

Masterton and Greytown Lands Bill,
l.c., 1r. 502; 2r. 831; 3r. 531

Mataura River Bridge,
h., q. (Mr. Ireland), 192

MCCAUGHAN, Mr. P. K., *Riccarton,*
Otautau-Nightcaps Railway, q. 109, 506

McCready, D.,
h., m. (Mr. De Lautour), 508

MCDONALD, Mr. A., *East Coast,*
Gisborne Bridge, q. 435
Patutahi Drain, q. 435

MCLEAN, Mr. G., *Waikouaiti,*
Government Advertising and Printing, q. 192
Marquis of Normanby's Departure, m. 355
Native Affairs Committee: Summoning Wit-
ness in Custody, m. 104, 105, 152
Native Reserves Vesting Bill, 2r. 207
Nelson South-West Gold Fields, m. 522
New Zealand Constitution Act Amendment
Bill, 1r. 507
Qualification of Electors Bill, Rep. 273
Rees's (Mr.) Charge for Legal Advice, m. 353
Supply—
Class IV., 427, &c.
Taranaki Iron-Smelting Works Lands Bill, 2r.
826, 530
Telegrams for Electioneering Purposes, m. 241,
243, 245, 250, 253, 288, 289
Waipahi-Pomahaka Railway, m. 199, 202, 203

Members of General Assembly Expenses Bill,
h., 1r. 342; 2r. 435; Com. 550

MENZIES, Hon. J., *Otago,*
Hawke's Bay and Marlborough Rivers Bill, 2r.
342
Native Expenditure, m. 400
Otago University Bill, 2r. 337,* 338*
Select Committees, m. 2
Triennial Parliaments Bill, 2r. 324

Middle Island Branch Railways,
h., q. (Mr. Wright), 110

Middle Island Maoris,
l.c., q. (Hon. Mr. Taiaroa), 264

Middle Island Native Doctors,
l.c., q. (Hon. Mr. Taiaroa), 264

MILLER, Hon. H. J., *Otago,*
Appeals against Valuation, m. 371*
Emigration Agents, q. 531
Local Bills, m. 178,* 269*
Lunatic Asylums, m. 7
Miners' Rights Fees Reduction Bill, 2r. 417*
Native Expenditure, m. 400
Oamaru Waterworks Bill, 2r. 160,* 162,* 163,*
164,* 165*
Triennial Parliaments Bill, 2r. 325,* 326*
University Reserves, m. 54,* 60*
University Reserve, Tauranga, q. 48

Mineral Springs,
h., q. (Mr. Reeves), 331

Miners' Rights Fees,
h., q. (Mr. Sheehan), 434

Miners' Rights Fees Reduction Bill,
h., 1r. 8; 2r. 211; Com. 364
l.c., 1r. 367; 2r. 411

Mines Bill,
h., Dis. 377
l.c., 1r. 399; 2r. 503

Minister of Mines,
h., q. (Mr. Reid), 134

Money-Order Offices,
h., q. (Mr. George), 110

MONTGOMERY, Mr. W., Akaroa,
Agent-General, *q. 10*
Akaroa Post and Telegraph Office, *q. 193, 194*
Collingwood Election, *m. 229*
Election Petitions Bill, *2R. 46*
Elections Validation Bill, *2R. 171, 172*
Hansard, m. 231
High School Reserves Bill, *2R. 361*
Native Affairs Committee: Summoning Witness
in Custody, *m. 103*
Nelson South-West Gold Fields, *m. 522*
Qualification of Electors Bill, *2R. 16, 20; Com. 173, 291*
Regulation of Elections Bill, *Com. 437*
Spirits and other Duties, *m. 345*
Supply—
Com. *442, 455*
Class IV., *424, &c.*
Tariff, *m. 113*
Telegrams for Electioneering Purposes, *m. 237*
Timaru County, *m. 196*
Wanganui Endowed School Bill, *Com. 394*
Wilkinson, W., *m. 204*

MOORHOUSE, Mr. W. S., Ashley,
Ashley Gorge Bridge, *q. 505*
Native Affairs Committee: Summoning Witness
in Custody, *m. 140*
Oxford and Sheffield Railway, *q. 434*

Moss, Mr. F. J., Parnell,
Auckland College and Grammar School Bill,
2R. 129
Auckland Railway Workshops, *m. 379*
Coasting Trade, *m. 479, 480, 481*
Dargaville Telegraph Station, *q. 432*
Election Petitions Bill, *2R. 46*
Financial Statement, *m. 311*
Maori Representation Bill, *2R. 90, 92*
Native Affairs Committee: Summoning Witness
in Custody, *m. 135, 154*
Native Petitions, *m. 346*
New Zealand Constitution Act Amendment
Bill, *2R. 507*
Qualification of Electors Bill, *Rep. 273, 275, 280*
Supply—
Com. *457*
Class IV., *430, &c.*
Rees's (Mr.) Charge for Legal Advice, *m. 352*
Representation Bill, *m. 71*
Telegrams for Electioneering Purposes, *m. 242, 243, 250*
Triennial Parliaments Bill, *2R. 47*

Municipal Corporations Bill,
h., 2R. 377

Murihiku Native Reserves Grants Bill,
h., 1R. 100; 2R. 545

MURRAY, Mr. W. A., Bruce,
Abolition of Imprisonment for Debt Bill, *Com. 366*
Auckland Roads and Bridges, *m. 350*

MURRAY, Mr. W. A.—continued.
Auckland-Taupo Railway, *q. 167*
Brighton-Kaitangata and Outram-Clarendon
Railway, *q. 433*
Civil Service, *m. 509, 511*
Coal Fields, *q. 134*
Elective Council Bill, *2R. 262*
Electors, *m. 355*
Grahamstown-Te Aroha Railway, *m. 348, 350*
Hansard, m. 232
Maori Representation Bill, *2R. 95*
Marton-Taupo Railway, *q. 181*
Native Affairs Committee: Summoning Wit-
ness in Custody, *m. 100, 135, 155*
Nelson South-West Gold Fields, *m. 519*
Protection of Animals Bill, *2R. 159*
Public Works North of Auckland, *m. 478*
Qualification of Electors Bill, *2R. 34; Com. 182; Rep. 279*
Railway Free Passes, *m. 356*
Registration of Electors Bill, *Com. 293*
Representation Bill, *m. 72*
Rodney Roads, *m. 513*
Supply—
Class IV., *426, &c.*
Taranaki Iron-Smelting Works Lands Bill, *2R. 529*
Tariff, *m. 112*
Triennial Parliaments Bill, *Com. 98; Rep. 169*
Waipahi-Pomahaka Railway, *m. 200*

N.

Napier and Meanee Recreation-Ground Bill,
h., 2R. 377

Napier and Wairoa Harbours,
h., q. (Mr. Sutton), 271

Napier Swamp Nuisance Bill,
l.c., 1R. 48; 2R. 174
h., 3R. 66

Native Affairs,
h., q. (Mr. Hamlin), 133

Native Affairs Committee: Summoning Witness
in Custody,
h., m. (Mr. Hamlin), 100, 135, 166, 343

Native Coal for Railways,
h., q. (Mr. Barron), 180

Native Expenditure,
h., q. (Mr. Hamlin), 67; m. (Mr. Hamlin), 351

Native Land Purchases,
h., q. (Mr. Gisborne), 343; q. (Mr. Kelly), 344

Native Leases,
h., q. (Captain Russell), 109

Native Petitions,
h., m. (Mr. Tole), 345

Native Reserves, Middle Island,
h., m. (Mr. Tainui), 357

Native Reserves Vesting Bill,
h., 2B. 124, 206

Nelson Mining Leases,
h., q. (Mr. Gibbs), 433

Nelson South-West Gold Fields,
h., m. (Mr. J. B. Fisher), 346; Com. 515

Newmarket Post Office,
h., q. (Mr. Tole), 179, 222

New Plymouth Gas Bill,
l.c., 3R. 1

New River Pilot-Station Reserve Bill,
h., 3R. 133
l.c., 1R. 174; 3R. 399

New Zealand Constitution Act 1852 Amendment Bill,
h., 1R. 507

NGATATA, Hon. W. TAKO, *Wellington,*
Qualification of Electors Bill, 2R. 408*

North Taieri Road,
h., q. (Mr. Barron), 506

O.

Oamaru Harbour Board Bill,
h., 3R. 100
l.c., 1R. 132; 3R. 399

Oamaru Waterworks Bill,
l.c., 2R. 160; m. 188; 3R. 313

Offences Against the Person Act,
h., q. (Mr. Stevens), 67

Okarito Light,
h., q. (Mr. Gisborne), 504

Okarito Road,
h., q. (Mr. Gisborne), 221

OLIVER, Mr. R., *Dunedin City* (Minister for Public Works and Mines),
Addington Railway Workshops, q. 377
Ashley Gorge Bridge, q. 505
Auckland Government Contractor, q. 67
Auckland Railway Workshops, q. 221, 272; m. 378
Balclutha Bridge, m. 222
Barton, J., and Others, q. 221
Brighton-Kaitangata and Outram-Clarendon Railway, q. 433
Coal Fields, q. 134
Dunedin Railway Workshops, q. 168
East and West Coast Railway, Middle Island, q. 180
Gisborne Bridge, q. 435
Greymouth-Cobden Railway, q. 377
Hokitika Harbour, q. 274
Hokitika-Jackson's Bay-Otago Railway Line, q. 193

3-33.

OLIVER, Mr. R.—*continued.*

Jackson's Bay Wharf, q. 179
Kaipoi Railway Station, q. 433
Kingston-Cromwell Railway, q. 221
Local Paymasters, q. 377
Locomotives, q. 331
Lumsden-Mararoa Railway, q. 67
Marton-Taupo Railway, q. 181
Mataura River Bridge, q. 192
McCready, D., m. 509
Miners' Rights Fees, q. 434
Native Coal for Railways, q. 180
Newmarket Railway Workshops, q. 168
North Taieri Road, q. 506
Okarito Road, q. 221
Otago Central Railway, q. 194
Otautau-Nightcaps Railway, q. 108, 506
Oxford-Sheffield Railway, q. 434
Parua Bay Wharf, q. 180
Patutahi Drain, q. 435
Point Elizabeth Coal Seam, q. 434
Public Works North of Auckland, m. 475
Pullman Cars, q. 180, 343
Qualification of Electors Bill, 3R. 276
Railway Benefit Society, q. 168
Railway Construction, m. 114, 115, 116; q. 168
Railway Employes, q. 168
Railway Returns, q. 108
Railway Tariff, q. 9
Railway Tickets, q. 109
Rangiora Railway Platform, q. 432
Southland Railways, q. 435
Supply—
m. 441
Class IV., 488
Tapanui Railway, q. 108
Telegrams for Electioneering Purposes, m. 288
Terenakau Bridge, q. 135
Timaru Railway Works, q. 9
Waimea Plains-Waikaia Railway, q. 67
Waipahi-Pomahaka Railway, m. 198, 201, 203
Wanganui-Patea Railway, q. 167
West Coast Inspector of Mines, q. 506
Westland Silver Mines, q. 543
Westport-Ngakawhau Railway, q. 434

Onehunga Water Reserves Bill,
h., Com. 159; 3R. 160
l.c., 1R. 174

Onewhero Land Grant Empowering Bill,
h., 1R. 100

Order of Business,
h., Obs. (Mr. Macandrew), 417

Oreti Bridge and Ferry Reserves Bill,
h., 2R. 377

ORMOND, Mr. J. D., *Clive,*
Deferred-Payment Land, m. 355
Native Affairs Committee: Summoning Witnesses in Custody, m. 140
Supply—
Class IV., 482, 489

Otago Boys' and Girls' High Schools Bill,
h., 1R. 66

Otago Central Railway,
h., q. (Mr. Pyke), 194

Otago Harbour Board Petition,
h., m. (Mr. Stewart), 357

Otago Road Boards Bill,
l.c., 1R. 502

Otago Roads and Bridges,
h., m. (Mr. Shrimski), 228

Otago University Bill,
h., 1R. 178
l.c., 2R. 185; m. (Hon. Mr. Reynolds), 335

Otago University Reserves Leasing Bill,
h., 2R. 343; 3R. 377
l.c., 1R. 399

Otago Waste Lands,
l.c., m. (Hon. Sir F. Dillon Bell), 184

Otautau-Nightcaps Railway,
h., q. (Mr. McCaughan), 109, 506

P.

Paramene te Oneone v. Kinross,
l.c., m. (Hon. Mr. Mantell), 55

Parliamentary Papers to Local Bodies,
h., m. (Mr. Acton Adams), 357

Parliament Buildings Wire,
h., q. (Mr. Reeves), 506

Palmerston North Reserves Bill,
h., 2R. 377

Patents Act,
h., q. (Mr. Hutchison), 66

Patents Bill,
h., 1R. 222; 2R. 343; 3R. 377
l.c., 1R. 399; 2R. 502; 3R. 531

PATERSON, Hon. J., *Otago,*
University of Otago Bill, 2R. 187

Patutahi Drain,
h., q. (Mr. McDonald), 435

PEACOCK, Hon. J. T., *Canterbury,*
Protection of Animals Bill, 2R. 471*

Personal Explanation,
l.c., Obs. (Hon. Mr. Mantell), 219

Piako Swamp,
h., q. (Mr. Reeves), 67

PITT, Mr. A., *Nelson City,*
Native Reserves Vesting Bill, 2R. 125, 208
New Zealand Constitution Bill, 2R. 266
Qualification of Electors Bill, 2R. 31
Rating Bill, 2R. 205

PITT, Mr. A.—*continued.*

Supply—

Class IV., 453

Wanganui Endowed School Bill, m. 393, 394

POLLEN, Hon. D., *Auckland,*
Christchurch Drill-shed Bill, 2R. 375*
Elections Validation Bill, 2R. 190,* 191*
Harbour Defences, m. 399*
Local Bills, m. 53
Lunatic Asylums, m. 64*
Miners' Rights Fees Reduction Bill, 2R. 412*
Oamaru Waterworks Bill, 2R. 164*
Protection of Animals Bill, 2R. 470,* 472*
Timaru County, m. 267*
Triennial Parliaments Bill, 2R. 329*
University of Otago Bill, 2R. 187
University Reserves, Obs. 58*
Qualification of Electors Bill, 2R. 410,* 470,
472

Press Telegraph Wire,
h., m. (Mr. Johnston), 109

Prevention of Corruption Bill,
h., 2R. 380

Primitive Methodists' Temporal Affairs Bill,
h., 3R. 166
l.c., 1R. 174; 2R. 264; 3R. 502

Prison Labour,
h., q. (Mr. Shrimski), 271

Property Assessment Bill,
h., 1R. 432

Property-Tar,
h., q. (Mr. Gisborne), 344

Protection of Animals Bill,
h., 2R. 158; 3R. 343
l.c., 1R. 357; 2R. 470

Provincial Receipts and Expenditure,
l.c., m. (Hon. Colonel Whitmore), 184; m. (Hon.
Mr. Reynolds), 335
h., q. (Mr. Barron), 192

Public Accounts,
h., m. (Mr. Hall), 225
l.c., m. (Hon. Sir F. Dillon Bell), 313

Public Analysts,
h., q. (Mr. Wright), 179

Public Reserves Sale Bill,
h., 1R. 271

Public Trust Funds,
h., m. (Mr. Stevens), 111, 228

Public Works Contracts,
h., Obs. (Mr. Macandrew), 293

Public Works Loans,
h., q. (Mr. Gisborne), 167

Public Works North of Auckland,
h., m. (Mr. Landon), 472

Pullman Cars,
h., q. (Mr. Pyke), 180, 343

PYKE, Mr. V., Dunstan,
Buller, Dr., q. 505
Election Petitions Bill, 2r. 46
Kingston-Cromwell Railway, q. 221
Miners' Rights Fees Reduction Bill, 2r. 211,
215
Public Accounts, m. 225
Pullman Cars, q. 180, 343
Qualification of Electors Bill, 3r. 272
Regulation of Elections Bill, 2r. 44
Rodney Roads, m. 512
Subsidies, m. 418
Tea and Sugar Duties, q. 8
Triennial Parliaments Bill, 2r. 47 ; m. 160
Waipahi-Pomahaka Railway, m. 199

Q.

Qualification of Electors Bill,
h., 2r. 11 ; Com. 173, 182 ; Recom. 272, 291 ;
3r. 292
l.e., 2r. 400 ; Com. 470

Queenstown Gaol,
h., q. (Mr. Finn), 505

Queenstown Racecourse Reserve Bill,
h., 2r. 192

Questions,
h., m. (Mr. De Lautour), 205

R.

Rabbit Nuisance,
h., q. (Captain Russell), 10

Rabbit Nuisance Bill,
l.e., 1r. 1 ; 2r. 399 ; 3r. 399
h., 1r. 432

Railway Benefit Society,
h., q. (Mr. Andrews), 168

Railway Construction,
h., m. (Mr. Oliver), 114 ; q. (Mr. Hutchison),
168

Railways Construction Bill,
h., 1r. 100

Railway Employés,
h., q. (Mr. Andrews), 168

Railway Free Passes,
h., m. (Mr. Murray), 356

Railway Returns,
h., q. (Mr. Richardson), 108

Railway Tariff,
h., q. (Mr. Richardson), 9
l.e., m. (Hon. Mr. G. Buckley), 314, 340

Railway Tickets,
h., q. (Captain Russell), 109

Rangiora Railway Platform,
h., q. (Mr. Bowen), 432

Rating Bill,
h., 1r. 66

Rating Bill (No. 2),
h., 1r. 100 ; 2r. 205

Rees's (Mr.) Charge for Legal Advice,
h., m. (Mr. Sutton), 351

REEVES, Mr. R. H. J., Grey Valley,
Gold Duties Abolition Bill, 2r. 217, 218
Greymouth-Cobden Bridge, q. 377
Grey Valley Petition, m. 234
Hansard, m. 230
Local Paymasters, q. 377
Mineral Springs, q. 331
Miners' Rights Fees Reduction Bill, 2r. 212
Native Affairs Committee : Summoning Wit-
ness in Custody, m. 104
Nelson South-West Gold Fields, m. 516
Parliament Buildings Wire, q. 506
Piako Swamp, q. 67
Point Elizabeth Coal Seam, q. 434
Regulation of Elections Bill, Com. 333
School of Mines, q. 504
Supply—
Class IV., 484
Class VII., 495
Telegrams for Electioneering Purposes, m. 285
Triennial Parliaments Bill, Com. 97 ; Recom.
168, 169
West Coast Inspector of Mines, q. 504

Registration of Births and Deaths Bill,
h., Dis. 377

Registration of Dogs Bill,
h., 2r. 377

Registration of Electors Bill,
h., 2r. 41 ; Com. 332 ; 3r. 417
l.e., 1r. 469

Regulation of Elections Bill,
h., 2r. 43 ; Com. 332, 436

REID, Mr. R. C., Hokitika,
Barton, J., and Others, q. 221
Civil Service, q. 432
Hansard, m. 231
Hauhau Tramway Company, m. 227
Hokitika and Greymouth Railway, m. 357
Hokitika Harbour, q. 272
Miners' Rights Fees Reduction Bill, 2r. 215
Minister of Mines, q. 134
Supply—
Class IV., 483

Representation Bill,
h., m. (Sir G. Grey), 69

Reprint of Statutes,
l.c., q. (Hon. G. R. Johnson), 48
h., q. (Mr. Ballance), 166

Reprint of Statutes Bill,
l.c., 1R. 502

REYNOLDS, Hon. W. H., *Otago*,
Christchurch Drill-shed Bill, 2R. 373,* 371*
Indecent Performances, q. 183*
Lawrence Athenæum and Mining Institute
Bill, 2R. 503,* 504*
Local Bills, m. 174,* 175,* 178*
Lunatic Asylums, m. 63*
Miners' Rights Fees Reduction Bill, 2R. 413*
Otago University Bill, m. 335,* 337,* 338*
Patents Bill, 2R. 503*
Protection of Animals Bill, 2R. 472*
Provincial Receipts and Expenditure, m. 335*
Qualification of Electors Bill, 2R. 407,* Com.
470*
Triennial Parliaments Bill, 2R. 321*
University of Otago Bill, 2R. 185,* 186,* 187*

RICHARDSON, Mr. E., *Christchurch City*,
Farnall, H. W., m. 511
Fish Culture, q. 557
Local Bills, m. 222
Middle Island Branch Railways, m. 110
Native Coal for Railways, q. 181
Nelson South-West Gold Fields, m. 523
Railway Construction, m. 115
Railway Returns, q. 108
Railway Tariff, q. 9
Stitt, A., m. 514
Supply—
Class IV., 482, &c.
Timaru Railway Works, q. 9
Waipahi-Pomahaka Railway, m. 200

RICHMOND, Hon. M., C.B., *Nelson*,
Local Bills, m. 175

Riverton District Court,
h., q. (Mr. H. Hirst), 133

Riverton Drill-shed Bill,
h., 2R. 377

Roads,
h., q. (Mr. George), 180

ROBINSON, Hon. W., *Nelson*,
Protection of Animals Bill, 2R. 472

Rodney Roads,
h., m. (Mr. George), 511

ROLLESTON, Mr. W., *Avon* (Minister of Justice),
Lands, Immigration, and Education),
Anderson's Bay Road, q. 193
Aroha Block, q. 434

ROLLESTON, Mr. W.—*continued*.

Auckland College and Grammar School Bill,
2R. 131

Auckland Roads and Bridges, m. 350, 351

Awatere Shearing Reserve Management Bill,
2R. 235

Cambridge Courthouse, q. 67

Collingwood-Karamaea Road, q. 343

Edendale-Fortrose Railway, q. 506

Elective Council Bill, 2R. 260

Emigration Land Orders, q. 194

Gaol Officials, q. 343

Hansard, m. 231

High School Reserves Bill, 2R. 358, 360

Higher Education, q. 9; m. 68

Invercargill Benevolent Institution, q. 505

Invercargill Gaol, q. 109

Kumara Reserves, q. 134

Lake Wakatipu Agricultural Land, q. 306

Lands open for Occupation, q. 331

Local Bills, m. 223

Lyttelton Police Station, &c., q. 134

Manawatu Resident Magistrate, q. 10

Manukau County Court Districts, q. 181

Maori Prisoners, q. 67

Maori Representation Bill, 2R. 86

Middle Island Branch Railways, m. 110

Native Affairs Committee: Summoning Wit-
ness in Custody, m. 102

Native Reserves Vesting Bill, 2R. 209

Nelson Mining Leases, q. 433

New Zealand Constitution Act Amendment
Bill, 1R. 507

Offences against the Person Act, q. 67

Otago Roads and Bridges, m. 228

Prison Labour, q. 271

Railway Construction, m. 116, 117, 119

Reprint of Statutes, q. 167

Riverton District Court, q. 133

Rodney Roads, m. 512

School of Mines, q. 504

Supply—

Class III., 500, &c.

Class IV., 430

Class VII., 493, &c.

Sydenham Petty Sessions Court, q. 331

Taranaki Iron-Smelting Works Lands Bill, 2R.
584, 525

Telegrams for Electioneering Purposes, m. 254,
286

Thames High School, q. 434

Theatrical Performances, m. 225

Titanic Steel Company, q. 330

Waikato Courthouse, q. 181

Wanganui Endowed School Bill, Com. 383,
386

Wanganui Gaol, q. 221

West Coast Small Farms, q. 181

Westland Waste Lands, q. 9

RUSSELL, Captain W. R., *Napier*,

Maori Representation Bill, 2R. 92

Native Affairs Committee: Summoning Wit-
ness in Custody, m. 150, 153

Native Leases, q. 109

Qualification of Electors Bill, 2R. 18

Rabbit Nuisance, q. 10

Railway Tickets, q. 109

S.

Saddlery for Armed Constabulary,
h., q. (Mr. Hutchison), 433

SAUNDERS, Mr. A., Cheviot,
Canterbury Local Bodies, q. 107
Hansard, m. 224, 229, 232
Late Elections, q. 11; m. 356
Qualification of Electors Bill, 2r. 25
Regulation of Elections Bill, 2r. 43
Supply—
Class IV., 426, &c.
Telegrams for Electioneering Purposes, m. 239,
245

SCOTLAND, Hon. H., Taranaki,
Paramene te Oneone v. Kinross, m. 56*
Triennial Parliaments Bill, 2r. 327*

Seaward Bush Railway,
h., m. (Mr. Shanks), 109

SEDDON, Mr. R. J., Hokitika,
Auckland Improvement Commissioners Transfer of Powers Bill, Com. 398
Auckland Roads and Bridges, m. 350
Civil Servants' Salaries, m. 515
East and West Coast Railway, Middle Island, q. 180
Gold Duties Abolition Bill, 2r. 216, 218
Greymouth and Hokitika Railway, m. 228
Hansard, m. 232
Kanieri County, q. 330
Kumara Reserves, q. 134
Land-Tax, q. 135
Late Elections, m. 356
Miners' Rights Fees Reduction Bill, 2r. 212
Native Affairs Committee: Summoning Witness in Custody, m. 138
Native Reserves Vesting Bill, 2r. 125
Nelson South-West Gold Fields, m. 523
Public Works North of Auckland, m. 476
Qualification of Electors Bill, 2r. 38; Recom. 280
Railway Construction, m. 123
Rating Bill, 2r. 205
Registration of Electors Bill, 2r. 42; Com. 292
Regulation of Elections Bill, 2r. 44
Rodney Roads, m. 512
Supply—
Class III., 501
Class IV., 491, &c.
Class VII., 497
Tariff, m. 113
Telegrams for Electioneering Purposes, m. 286
Teremakau Bridge, q. 135
Timaru County, m. 196
Wilkinson, W., m. 204

Select Committees,
l.c., m. (Hon. Captain Baillie), 1

SEYMOUR, Mr. A. P., Wairau (Chairman of Committees, H. of R.),
Awatere Shearing Reserve Management Bill, 2r. 235
Local Bills m. 223

SHANKS, Mr. J. S., Mataura,
Artillery Corps, q. 344, 434, 435
Edendale-Fortrose Railway, q. 506
Seaward Bush Railway, m. 109
Town Boards, q. 134

SHEEHAN, Mr. J., Thames,
Aroha Block, q. 434
Auckland Roads and Bridges, m. 350
Civil Service, m. 509
Hansard, m. 234
High School Reserves Bill, 2r. 361
Maori Prisoners, m. 69
Maori Representation Bill, 2r. 77
Miners' Rights Fees, q. 434
Miners' Rights Fees Reduction Bill, 2r. 214
Native Affairs Committee: Summoning Witness in Custody, m. 138, 150, 155
Native Reserves Vesting Bill, 2r. 124, 206
New Zealand Constitution Act 1852 Amendment Bill, 507
Rees's (Mr.) Charge for Legal Advice, m. 351, 352, 353
Representation Bill, m. 70
Rodney Roads, m. 513
Taranaki Iron-Smelting Works Lands Bill, 2r. 531
Telegrams for Electioneering Purposes, m. 239, 244, 283, 289
Thames High School, q. 434

SHEPARD, Mr. J., Waimea,
Hop-Growing, q. 166
Redistribution of Seats Bill, m. 423
Representation Bill, m. 74
Subsidies, m. 421
Supply—
Class IV., 424, &c.
Class VII., 495
Triennial Parliaments Bill, 2r. 98; Recom. 169

Sheriff's Bill,
h., 1r. 166

SHRIMSKI, Mr. S. E., Waitaki,
Awatere Shearing Reserve Bill, Com. 382
Civil Service, m. 509
Coasting Trade, m. 482
Hansard, m. 224, 230
High School Reserves Bill, 2r. 360
Hurst, W. J., q. 505
Otago Roads and Bridges, m. 228
Prison Labour, q. 271
Public Works North of Auckland, m. 476
Qualification of Electors Bill, Cons. of Amend. 279
Redistribution of Seats Bill, m. 424
Rees's (Mr.) Charge for Legal Advice, m. 352
Spirits and other Duties, m. 345
Supply—
Class IV., 426, &c.
Class VII., 495
Telegrams for Electioneering Purposes, m. 284
Timaru County, m. 196
Waipahi-Pomahaka Railway, m. 203
Wanganui Endowed School Bill, Com. 393

Southern Native Districts School Bill,
h., 1R. 531

Southland High School Bill,
h., 1R. 166

Southland Railways,
h., *q.* (Mr. H. Hirst), 435

SPEAKER, Hon. the, *h.* (Sir W. Fitzherbert),
 Ashburton County Council Waterworks Bill,
 Rep. Com. 313*
 Fencing, *m.* 470*
 Harbour Defences, *m.* 399,* 400*
 Hawke's Bay and Marlborough Rivers Bill, 2R.
 58,* 100*
 Local Bills, *m.* 269,* 338,* 339,* 340*
 Lunatic Asylums, *m.* 7*
 Otago University Bill, *m.* 335*
 Personal Explanation, *m.* 220*
 University of Otago Bill, 2R. 187,* 188*

SPEAKER, Mr., *h.* (Mr. G. M. O'Rorke),
 Awatere Shearing Reserve Bill, Com. 382
 Canterbury Local Bodies, *q.* 107, 108
 Collingwood Election, *m.* 228
 Grahamstown-Te Aroha Railway, *m.* 348
Hansard, *m.* 233
 Native Affairs Committee: Summoning Wit-
 ness in Custody, *m.* 100, &c., 137, &c., 166
 Native Petitions, *m.* 346
 Qualification of Electors Bill, 2R. 15, 40
 Regulation of Elections Bill, 2R. 44
 Representation Bill, *m.* 69, &c.
 Supply, *m.* 463, &c.
 Taranaki Iron-Smelting Works Lands Bill, 2R.
 531
 Telegrams for Electioneering Purposes, *m.* 240,
 242, 243, 283, &c.
 Travelling Expenses of Members, *m.* 227
 Wellington-Foxton Railway, *q.* 157

SPEIGHT, Mr. W. S., *Auckland City East*,
 Auckland College and Grammar School Bill,
 2R. 130
 Civil Service, *m.* 510
 Elective Council Bill, 2R. 263
 Grahamstown-Te Aroha Railway, *m.* 350
 Licensing Bill (No. 2), Com. 160
 Members of General Assembly Expenses Bill,
 2R. 436
 Miners' Rights Fees Reduction Bill, 2R. 213,
 214
 Native Affairs Committee: Summoning Wit-
 ness in Custody, *m.* 105, 136
 Public Accounts, *m.* 227
 Public Works North of Auckland, *m.* 478
 Qualification of Electors Bill, 2R. 28; Cons. of
 Amend. 275
 Supply—
 Class IV., 426, &c.
 Class VII., 496
 Tariff, *m.* 113
 Telegrams for Electioneering Purposes, *m.* 251,
 285
 Timaru County, *m.* 357
 Wanganui Endowed School Bill, Com. 391, 397
 Wilkinson, W., *m.* 204

Spirits and other Duties,
h., *m.* (Mr. George), 345

STEVENS, Mr. E. C. J., *Christchurch City*,
 Addington Railway Workshops, *q.* 378
 Fire Brigades, *q.* 330
 Offences against the Person Act, *q.* 67
 Public Accounts, *m.* 227
 Public Trust Funds, *m.* 111, 112, 228
 Regulation of Elections Bill, Com. 334
 Supply—
 Class III., 502
 Class IV., 483, &c.
 Class VII., 495
 Tariff, *m.* 113

STEWART, Mr. W. D., *Dunedin City*,
 Auckland Roads and Bridges, *m.* 350
 Collingwood Election, *m.* 229
Hansard, *m.* 230
 High School Reserves Bill, 2R. 363
 Miners' Rights Fees Reduction Bill, 2R. 212
 Nelson South-West Gold Fields, *m.* 518
 Otago Harbour Board Petition, *m.* 357
 Qualification of Electors Bill, 2R. 15; Cons. of
 Amend. 275
 Redistribution of Seats Bill, *m.* 423
 Rees's (Mr.) Charge for Legal Advice, *m.* 352
 Supply, *m.* 465
 Taranaki Iron-Smelting Works Lands Bill, 2R.
 526
 Telegrams for Electioneering Purposes, *m.* 238,
 285
 Theatrical Performances, *q.* 224
 Timaru County, *m.* 196, 357
 Waipahi-Pomahaka Railway, *m.* 201

Still, A.,
h., *m.* (Mr. J. B. Fisher), 514

STUDHOLME, Mr. J., *Gladstone*,
 Timaru County, *m.* 357, 358

Subsidies,
h., *m.* (Mr. Pyke), 418

Supply,
h., Com. 438
 Class IV., 424, 482

Supreme Court Practice,
h., *q.* (Hon. Mr. P. A. Buckley), 99

SUTTON, Mr. F., *Napier*,
 Elective Council Bill, 2R. 264
 Mahia Telegraph Station, *q.* 271
 Napier and Wairoa Harbours, *q.* 271
 Native Affairs Committee: Summoning Wit-
 ness in Custody, *m.* 155
 Petitions, *m.* 608
 Rees's (Mr.) Charge for Legal Advice, *m.* 351,
 352
 Supply—
 Class IV., 431
 Telegrams for Electioneering Purposes, *m.* 286,
 289
 Unvoted Salaries, *m.* 234

SWANSON, Mr. W., *Newton*,
 Auckland College and Grammar School Bill,
 2R. 131
 Auckland Government Contractor, q. 67
 Coasting Trade, m. 481
 Edmonds, S. J., q. 178
 Elective Council Bill, 2R. 263
 Native Affairs Committee: Summoning Wit-
 ness in Custody, m. 138
 Onehunga Water Reserve Bill, Com. 159
 Representation Bill, m. 73
 Supply—
 Class IV., 426
 Target Practice, q. 166
 Wanganui Endowed School Bill, Com. 390

Sydenham Petty Sessions Court,
 h., q. (Mr. Andrews), 331

Sydenham Post Office,
 h., q. (Mr. Andrews), 331

T.

TAIAROA, Hon. H. K., *Otago*,
 Elections Validation Bill, 2R. 191*
 Kaiapoi Native Reserves, q. 265*
 Maori Translation of Bills, m. 502*
 Middle Island Maoris, q. 264*
 Middle Island Native Doctors, q. 264*
 Qualification of Electors Bill, 2R. 409*
 Triennial Parliaments Bill, 2R. 328*

Taieri River Floods,
 h., m. (Mr. Dick), 228

TAIUI, Mr. I., *Southern Maori District*,
 Native Reserves, Middle Island, m. 357
 Native Reserves Vesting Bill, 2R. 127, 206
 Public Works North of Auckland, m. 477
 Qualification of Electors Bill, 2R. 32
 Supply—
 Class VII., 499
 West Coast Native Reserves, q. 344

Tapanui Railway,
 h., q. (Mr. Ireland), 108

Taranaki Iron-Smelting Works Lands Bill,
 h., 1R. 342; 2R. 524

Target Practice,
 h., q. (Mr. Swanson), 166

Tariff,
 h., m. (Mr. J. W. Hurst), 112, 380

TAWHAI, Mr. H. M., *Northern Maori District*,
 Maori Representation Bill, 2R. 82
 Native Petitions, m. 346
 Native Reserves Vesting Bill, 2R. 207
 Public Works North of Auckland, m. 476
 Qualification of Electors Bill, 2R. 22
 Supply—
 Com. 461
 Class III., 501
 Class VII., 500

Tea and Sugar Duties,
 h., q. (Mr. Pyke), 8

Te Aro Reclamation Bill,
 h., 3R. 472
 l.c., 1R. 502

Te Kaha, W.,
 h., m. (Major Te Wheoro), 203

Telegrams,
 l.c., q. (Hon. Captain Fraser), 313

Telegrams for Electioneering Purposes,
 h., m. (Mr. Macandrew), 235; m. (Mr. Sheehan),
 283

Teremakau Bridge,
 h., q. (Mr. Seddon), 135

TE WHEORO, Mr. W., *Western Maori District*,
 Lands Returned to Maoris, m. 227
 Maori Prisoners, q. 68
 Maori Representation Bill, 2R. 81
 Native Affairs Committee: Summoning Wit-
 ness in Custody, m. 152
 Native Reserves Vesting Bill, 2R. 210
 Qualification of Electors Bill, 2R. 19; Recom.
 277
 Te Kaha, W., m. 203, 204
 Waikato Survey, q. 108

Thames Drill-hall,
 h., q. (Sir G. Grey), 506

Thames Harbour Board Bill,
 h., 1R. 417

Thames High School,
 h., q. (Mr. Sheehan), 434

Theatrical Performances,
 h., m. (Mr. Dick), 224

THOMSON, Mr. J. W., *Clutha*,
 Balclutha Bridge, q. 222
 Maori Representation Bill, 2R. 96
 Qualification of Electors Bill, Recom. 273
 Supply, Com. 446
 Triennial Parliaments Bill, Com. 96, 97
 Width of Streets and Roads Bill, 2R. 380

Thornbury-Otatau Telegraph,
 h., q. (Mr. H. Hirst), 435

Timaru County,
 h., m. (Mr. Wakefield), 194, 357
 l.c., q. (Hon. Mr. Acland), 48; m. (Hon. Mr.
 Acland), 265, 329

Timaru Harbour Board Bill,
 h., 1R. 376

Timaru Railway Works,
 h., q. (Mr. Richardson), 9

Timaru Waterworks Bill,
 h., 3R. 343
 l.c., 1R. 367

Titanic Steel Company,
h., q. (Mr. Ballance), 330

TOLE, Mr. J. A., *Eden*,
Auckland College and Grammar School Bill,
2R. 130
Auckland Railway Workshops, q. 221, 272; m.
378
Elections Validation Bill, 2R. 171, 172
Gaol Officials, q. 343
Rees's (Mr.) Charge for Legal Advice, m. 352
Native Affairs Committee: Summoning Wit-
ness in Custody, m. 103, 137
Native Petitions, m. 345
Newmarket Post Office, q. 179, 222
Newmarket Railway Workshops, q. 168
Qualification of Electors Bill, 2R. 24
Telegrams for Electioneering Purposes, m. 242,
288

TOMOANA, Mr. H., *Eastern Maori District*,
Elective Council Bill, 2R. 262
Lands Returned to Maoris, m. 223
Maori Prisoners, q. 67; m. 68
Maori Representation Bill, 2R. 94
Native Reserves Vesting Bill, 2R. 127, 207
Qualification of Electors Bill, 2R. 22

Town Boards,
h., q. (Mr. Shanks), 134

Towns on Private Lands Registration Bill,
h., 1R. 66; Dis. 377

Travelling Expenses of Members,
h., Obs. (Mr. Speaker), 227

Triennial Parliaments Bill,
h., 2R. 47; Com. 96; 3R. 168
l.c., 1R. 174; 2R. 319

TRIMBLE, Colonel R., *Grey and Bell*,
Maori Representation Bill, 2R. 89
Native Affairs Committee: Summoning Wit-
ness in Custody, m. 101, 104
Qualification of Electors Bill, 2R. 12; Recom.
276
Railway Construction, m. 117, 118
Registration of Electors Bill, 2R. 42
Regulation of Elections Bill, 2R. 45
Supply—
Com. 445
Class IV., 429, 430, 488
Taranaki Iron-Smelting Works Lands Bill, 2R.
528
Telegram for Electioneering Purposes, m. 285
Waipahi-Pomahaka Railway, m. 201
Wanganui Endowed School Bill, Com. 384

TURNBULL, Mr. R., *Timaru*,
Civil Servants' Salaries, m. 515
Civil Service, m. 510
Divorce Courts, q. 66
Elective Council Bill, 2R. 263
Farnall, H. W., m. 511
Hansard, m. 231
Land-Tax, q. 435
Late Elections, m. 356

TURNBULL, Mr. R.—*continued*.

Native Affairs Committee: Summoning Witness
in Custody, m. 103, 151
Public Accounts, m. 226
Public Works North of Auckland, m. 478
Qualification of Electors Bill, 2R. 24; Com.
182; Recom. 275
Railway Construction, m. 120
Regulation of Elections Bill, 2R. 44
Representation Bill, 2R. 71
Rodney Roads, m. 513
Supply—
Com. 462
Class III., 500, 501
Class IV., 425, 430, &c., 482, 490
Class VII., 492, 497
Telegrams for Electioneering Purposes, m. 243
Theatrical Performances, m. 225
Timaru County, m. 195, 197, 357
Triennial Parliaments Bill, 2R. 47
Wanganui Endowed School Bill, Com. 384

U.

University of Otago Bill,
h., 1R. 132; 2R. 185

University Reserves,
l.c., m. (Hon. Mr. Miller), 54, 58

University Reserve, Tauranga,
l.c., q. (Hon. Mr. Miller), 48

Unvoted Salaries, Native Department,
h., q. (Mr. Sutton), 224

W.

Waikaia Courthouse,
h., q. (Mr. Ireland), 181

Waikato Surveys,
h., q. (Major Te Wheoro), 108

Waimea Plains-Waikaia Railway,
h., q. (Mr. Ireland), 67

Waipahi-Pomahaka Railway,
h., m. (Mr. Ireland), 198

Wairarapa Racecourse Bill,
h., 2R. 100; 3R. 192
l.c., 1R. 219

*Waitara Harbour Board Land and Borrowing
Bill,*
h., 3R. 377
l.c., 1R. 399

Waiuku Recreation Reserve Bill,
h., 3R. 133
l.c., 1R. 174; 3R. 399

WAKEFIELD, Mr. E., *Geraldine*,
High School Reserves Bill, 2R. 362
Land Claims Arbitration Bill, 2R. 364

WAKEFIELD, Mr. E.—continued.

- Nelson South-West Gold Fields, *m.* 524
 Qualification of Electors Bill, 2*r.* 13, 15; *Re-*
com. 278
 Supply—
 Class III., 501
 Taranaki Iron-Smelting Works Lands Bill, 2*r.*
 529, 530, 531
 Telegrams for Electioneering Purposes, *m.* 247,
 252, 283, 284
 Timaru County, *m.* 194, 197, 357

WALLIS, Dr. J., Auckland City West,
Parliamentary Papers to Local Bodies, m. 357
 Qualification of Electors Bill, *Recom.* 283**Wanganui Endowed School Bill,**
h., Com. 383**Wanganui Gaol,**
h., q. (Mr. Ballance), 221**Wanganui-Patea Railway,**
h., q. (Mr. Ballance), 167**War Materials,**
h., q. (Mr. Andrews), 505**WATERHOUSE, Hon. G. M., Wellington,**
 Appeals against Valuations, *m.* 367*
 District Courts Proceedings Validation Bill,
 2*r.* 188
 Elections Validation Bill, 2*r.* 189
 Harbour Defences, *m.* 399
 Hawke's Bay and Marlborough Rivers Bill, 2*r.*
 58, 342
 Local Bills, *m.* 50,* 174, 177, 268, 339*
 Lunatic Asylums, *m.* 6,* 63, 64, 65
 Miners' Rights Fees Reduction Bill, 2*r.* 415*
 Oamaru Waterworks Bill, 2*r.* 161,* 164;*
 Com. 188
 Otago University Bill, *m.* 336
 Protection of Animals Bill, 2*r.* 471*
 Qualification of Electors Bill, 2*r.* 407,* 409*
 Railway Tariff, *m.* 317*
 Select Committees, *m.* 2*
 Timaru County, *m.* 266
 Triennial Parliaments Bill, 2*r.* 320*
 University of Otago Bill, 2*r.* 186
 University Reserves, *m.* 60***Wellington Cemetery,**
l.c., q. (Hon. Mr. Mantell), 469**Wellington-Foxton Railway,**
l.c., m. (Hon. Colonel Whitmore), 99
h., q. (Mr. George), 107; *q.* (Mr. Hislop), 107;
 m. (Mr. Hutchison), 157**Wellington Harbour Board Bill,**
*h., 3*r.* 133*
*l.c., 1*r.* 174***Wellington Provincial District Highway Boards**
Bill,
*l.c., 2*r.* 219; 3*r.* 219*
*h., 1*r.* 221; 2*r.* 377***Wellington Railway Station,**
l.c., q. (Hon. Mr. P. A. Buckley), 265**Wellington Reclaimed Land,**
l.c., m. (Hon. Colonel Whitmore), 183
h., q. (Mr. George), 193**West Coast Inspector of Mines,**
h., q. (Mr. Reeves), 506**West Coast Maori Disturbances,**
l.c., q. (Hon. Mr. Buckley), 48**West Coast Native Reserves,**
h., q. (Mr. Tainui), 344**West Coast Public Works,**
h., q. (Mr. Gisborne), 66**West Coast Small Farms,**
h., q. (Sir G. Grey), 181**Westland Waste Lands,**
h., q. (Mr. Gisborne), 9**Westport-Ngakawhan Railway,**
h., q. (Mr. J. B. Fisher), 433**WHITAKER, Hon. F., Auckland (Attorney-Gen-**
*eral),***Agent-General, q.** 335***Appeals against Valuations, m.** 371***Christchurch Drill-shed Bill, 2*r.*** 374***Consolidated Fund, q.** 133***District Courts Bill, 2*r.*** 411***District Courts Proceedings Validation Bill,**
 2*r.* 188***Elections Validation Bill, 2*r.*** 189,* 191***Fencing Bill, Com.** 270***Fisheries Preservation Bill, m.** 330***Harbour Defences, m.** 399***Hawke's Bay and Marlborough Rivers Bill, 2*r.***
 342***Indecent Performances, q.** 183***Intercolonial Probate Bill, 2*r.*** 8***Kaipoi Native Reserves, q.** 265***Lawrence Athenaeum and Mining Institute**
*Bill, 2*r.** 504***Local Bills, m.** 54,* 174,* 267,* 269,* 339***Maori Prisoners, q.** 99***Middle Island Maoris, q.** 264***Middle Island Native Doctors, q.** 265***Oamaru Waterworks Bill, 2*r.*** 163,* 165***Otago University Bill, m.** 336***Paramene te Oneone v. Kinross, m.** 55***Patents Bill, 2*r.*** 502**Protection of Animals Bill, 2*r.*** 471**Provincial Expenditure and Receipts, m.** 184,*
 335***Public Accounts, m.** 314***Qualification of Electors Bill, 2*r.*** 400,* *Com.*
 470***Railway Tariff, m.** 316, 341**Reprint of Statutes, q.** 48**Select Committees, m.** 1***Supreme Court Practice, q.** 99***Telegrams, q.** 313***Timaru County, q.** 48;* *m.* 266,* 267*

WHITAKER, Hon. F.—continued.

Triennial Parliaments Bill, 2R. 319,* 329*
 University Reserves, m. 54,* 60*
 University Reserve, Tauranga, q. 48
 Wellington-Foxton Railway, m. 100*
 Wellington Railway Station, q. 265*
 Wellington Reclaimed Land, m. 183*
 West Coast Maori Disturbances, q. 48*

WHITAKER, Mr. F. A., Waipa,

Auckland Roads and Bridges, m. 350
 Native Affairs Committee: Summoning Witness in Custody, m. 136, 137
 Protection of Animals Bill, 2R. 158, 159
 Rees's (Mr.) Charge for Legal Advice, m. 355

WHITMORE, Hon. G. S., Hawke's Bay,

Appeals against Valuations, m. 369,* 371*
 Christchurch Drill-shed Bill, 2R. 375
 Harbour Defences, m. 269,* 399,* 400*
 Local Bills, m. 54,* 175*
 Lunatic Asylums, m. 6, 7, 61,* 63,* Obs. 133,* m. 175
 Miners' Rights Fees Reduction Bill, 2R. 413,* 416*
 Mines Bill, 2R. 503
 Native Expenditure, m. 400*
 Oamaru Waterworks Bill, 2R. 163*
 Patents Bill, 2R. 503*
 Protection of Animals Bill, 2R. 472*
 Provincial Receipts and Expenditure, m. 184*
 Qualification of Electors Bill, 2R. 402*
 Select Committees, m. 1*
 Timaru County, m. 266,* 267*
 Wellington-Foxton Railway, m. 99*

WHYTE, Mr. J. B., Waikato,

Cambridge Courthouse, q. 67

Width of Streets and Roads Bill,

h., 1R. 271; 2R. 380

Wilkinson, W.,

h., m. (Mr. Speight), 204

WILLIAMSON, Hon. J., Auckland,

Appeals against Valuations, m. 371
 Protection of Animals Bill, 2R. 471
 Railway Tariff, m. 319,* 340
 Triennial Parliaments Bill, 2R. 329*

WILSON, Hon. J. N., Hawke's Bay,

Christchurch Drill-shed Bill, 2R. 376
 District Courts Bill, 2R. 411
 Elections Validation Bill, 2R. 189, 190
 Harbour Defences, m. 399
 Lunatic Asylums, m. 5, 6
 Miners' Rights Fees Reduction Bill, 2R. 411*
 Oamaru Waterworks Bill, Com. 188
 Paramene te Oneone, m. 57*
 Qualification of Electors Bill, 2R. 405; Com. 470

WOOD, Hon. W., Otago,

Christchurch Drill-shed Bill, 2R. 376*
 Elections Validation Bill, 2R. 190*
 Lunatic Asylums, m. 7*
 Miners' Rights Fees Reduction Bill, 2R. 415
 Protection of Animals Bill, 2R. 471*
 Qualification of Electors Bill, 2R. 409*
 Railway Tariff, m. 318*
 University of Otago Bill, 2R. 185

WOOD, Mr. READER G., Waitemata,

Auckland College and Grammar School Bill, 2R. 129, 132
 Financial Statement, m. 309
 Public Works North of Auckland, m. 479
 Qualification of Electors Bill, 2R. 20
 Supply—
 Class IV., 482, 486

Worgan, G. B.,

h., q. (Mr. Hamlin), 432

WRIGHT, Mr. E. G., Coleridge,

Local Bills, m. 223
 Middle Island Branch Railways, m. 110
 Public Analysts, q. 179

NEW ZEALAND.

PARLIAMENTARY DEBATES.

First Session of the Seventh Parliament.

LEGISLATIVE COUNCIL.

Friday, 31st October, 1879.

*First Readings—Third Reading—Select Committees—
Lunatic Asylums—Intercolonial Probate Bill.*

The Hon. the **SPEAKER** took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Rabbit Nuisance Bill, Leases and Sales of Settled Estates Bill.

THIRD READING.

New Plymouth Gas Bill.

SELECT COMMITTEES.

The Hon. Captain **BAILLIE** moved, That the amendments proposed in Standing Orders Nos. 236 and 237, as recommended in a report of the Standing Orders Committee presented on 24th October, be agreed to.

The report of the Committee was read as follows:—

"Your Committee have the honor to report that they have come to the following resolutions, which they recommend for adoption by the Council:—

(1.) That Standing Order No. 236 be amended by adding the following words at the end thereof: 'unless it is intended that the Committee shall be elected by ballot.' (2.) That Standing Order No. 237 be amended by omitting the words 'any three members shall require a ballot, such Committee shall be formed in the manner following,' after 'Committee,' in the second line, and inserting in lieu thereof the following words: 'it shall be decided by the Council that such Committee shall be elected by ballot, the election shall be carried out in the following manner.'"

The Hon. the **SPEAKER** said he would put the resolutions seriatim.

Question put, That Standing Order No. 236 be amended by adding the following words at the end thereof: "unless it is intended that the Committee shall be elected by ballot."

The Hon. Mr. **WHITAKER** would ask, if that were done—assuming that the notice was

given and that no members were named, and then that the Council decided that the election should not be by ballot—what would be the position? Another notice of motion would be required for the purpose of naming the members of the Committee, and involve much loss of time.

The Hon. Mr. G. **BUCKLEY** said that unless the second amendment were carried the difficulty mentioned by the Attorney-General could hardly occur. He, for one, was very strongly against the amendment proposed in the second resolution, which he hoped would be negatived by the Council.

The Hon. Captain **FRASER** could not tell whether this was intended to deprive the Council of the prerogative which it possessed at present. The day might come when the Council would be ruled by a party, and a Committee might be "packed" by that party, and it was proposed, forsooth, to deprive them of their present right of calling for a ballot. He could not understand how the Standing Orders Committee could bring such a resolution before the Council.

The Hon. Colonel **WHITMORE** said one would suppose that there was no other deliberative Assembly in the world that was ruled by party but the House of Commons of England. He did not hear any complaint that the Committees even there were packed; and, for his part, he would be very glad to see the Council ruled by party, and he did not believe it would ever really do any work which the country would appreciate if it was not ruled by party. If they pretended that they were superior to party, which was, after all, the veriest hypocrisy, they would be assuming a position which nobody else in the country sympathized with or appreciated. People did not care for persons who were not in sympathy with themselves, who were not moved by the same impulses, and who did not regard matters from the same point of view as themselves; and the consequence was that, if the Council set itself above public opinion, it would lose a great deal of weight in the country. He did not at all look with terror to the time when the Council would be, as he thought it admittedly should be, as he believed it always had been, ruled by party; and as to the application of party to this question of Committees, he

thought that the good sense and fair-play which had been found to exist in the other branch of the Legislature in this country, and in all other Legislatures, would, in this Council also, lead to the appointment of fair Committees as a rule; and, if any injustice appeared to exist at any time, it was always easy to move that further members be added. On it being proved that only one set of opinions were represented, the Council, however moved by party, would always support a motion to insure fair-play. What he desired was that the principle of putting the Council to the inconvenience of balloting on every occasion should be put a stop to. Any two or three gentlemen, who wished to be obstructive or to be pedantic, could put the Council to the trouble of a ballot, although, generally speaking, the result was, that the very same gentlemen who were proposed in the motion were elected by ballot. The Waste Lands Committee was the only exception to this rule, which showed the uselessness of continual balloting. The Council ought not to be compelled to submit to the dictation of two or three gentlemen, who were at present able to exercise a tyranny over the Council. Let a majority of the Council decide whether the ballot was to be used or not. He, for one, was quite ready to leave everything to the decision of the Council, because he had found the decision of the Council so fair in past times; and therefore he hailed with satisfaction this recommendation of the Standing Orders Committee. He trusted that the Council would adopt that recommendation, and not be carried away by the contemplation of the imaginary danger which the Hon. Captain Fraser, in a moment of fancy, had suggested to terrify the Council.

The Hon. Mr. HOLMES did not think the Hon. Colonel Whitmore at all represented the views of the Council in the remarks he had just made, because one of the peculiar characteristics of the Council, and a characteristic upon which it had prided itself, was the absence of party spirit from its deliberations—the fact that the members of the Council addressed themselves to every subject coming before them altogether unbiassed by party; and that was one of the reasons why the public had come to have such a high opinion of the straightforward determination of the Council to do justice to every subject coming before it. He felt, with the Hon. Captain Fraser, that this motion would interfere with the privileges of the Council; but at the same time they knew that the manner of appointing Select Committees at present in operation was very defective. For instance, at the commencement of every session Committees were appointed formed almost entirely from the ranks of the older members of the Council. But the proper mode would be, to appoint old and young members in certain proportions, so that young members would be trained up to conducting the work as the older members dropped off. The future service of the Council in this respect ought to be kept in view when forming these Committees. Besides, in making a reference to the Council as to voting, before the Committee could be selected there would be a considerable waste of time. He

Hon. Colonel Whitmore

thought it would be better to allow the Standing Orders to remain as they were at present.

The Hon. Mr. MENZIES drew attention to the fact that the last two speakers had been discussing the second resolution of the Committee, which was not before the Council at present.

The Hon. Mr. WATERHOUSE confessed he was astonished at the rather wide scope the discussion was taking. He scarcely expected that a discussion with regard to the desirableness or otherwise of party warfare being introduced into the Council would be brought up on a motion of this character; and he would not enter into that question at present. If the Hon. Colonel Whitmore liked to bring the matter forward fairly, he would be quite ready to state his opinions; but for the present he would only state that, if he were an office-seeker, or if he were anxious to have the defects in the administrations of which he had been a member, or his own personal defects as an administrator, covered up, then he certainly should go in for party government in the Council, because there would be no difficulty in getting together a party which would swear black was white if that were necessary to whitewash him from his offences. It seemed to him that honorable members were under a misapprehension as to the question under consideration. It was not proposed to do away with the right of the Council to elect Committees by ballot if that right was desired by the Council. At the present time the course followed was this: First of all, an honorable member suggested the names of persons who he wished should form the Committee, and then the proposition for a ballot came in as an amendment; but the Council knew the result of that: the names which were suggested in the motion in the first instance were invariably the names forming the Committee when the ballot-papers had been filled up. What the Standing Orders Committee proposed was that, in the first instance, the question of whether a Committee should be chosen by ballot should be decided; so that when a ballot took place honorable members would be perfectly free to exercise their judgment, which they could hardly be said to be when a ballot was taken under the present circumstances—when names were first indicated in a motion. Honorable members must have seen that when Committees were balloted for under the present system there was an unnecessary waste of time. It might be that only one or two members of the Council desired that the Committee should be elected by ballot; and the object of the second alteration was to prevent the loss of time occasioned by an unnecessary ballot. If the report were adopted, then there would be two courses open to a member asking for a Committee. He might take the usual course, and insert in the notice of motion the names of gentlemen whom he wished to form the Committee; or he might simply move that a Committee be appointed, the members to be selected by ballot.

The Hon. Colonel BRETT considered that Sessional Committees had been unwisely and injudiciously selected in the past. Often one-third of the members put on the Committees did not attend, and were not likely to attend, and the

result was, that the whole duty fell upon a few persons; which was objectionable from more than one point of view. He did not believe in privileges being accorded to old members not accorded to young members. When he first came into the Council there seemed to be a prescriptive right on the part of some to do all the speaking, and he was looked upon rather as a curiosity when he had the impertinence to get up and say a few words; but he had soon broken that down. There were now a number of very able men in the Council—men of the greatest wisdom; but these did not serve on the Committees. He was a great advocate for balloting, because it would lead to those men being put upon the Committees, and, moreover, because it would be the most just course. Under the present system members came down to the House grumbling about the constitution of the Committees, and making nasty and invidious remarks about the way members were put on the Committees, stating that the Chairman put his friends on the Committee he proposed. If the Committees were balloted for there would be no more of that kind of thing.

Motion agreed to.

Question put, That the second resolution be agreed to.

The Hon. Mr. G. BUCKLEY said this was the most important part of the amendments suggested by the Standing Orders Committee. The resolution just carried enabled a member, in moving for the appointment of a Select or Sessional Committee, either to move that certain gentlemen should form that Committee, or else that a Committee be appointed by ballot. That was all very well; but, if this second resolution were agreed to, the power enabling three members of the Council, whenever suggested names were not satisfactory, to demand a ballot, would be done away with, and the question would have to go to the vote of the whole Council, when a majority would decide it. He objected to that; and he hoped the Council would not accept that amendment, so that any three members should continue to have the power to demand a ballot.

Motion negatived.

LUNATIC ASYLUMS.

The adjourned debate was resumed on the question, That, considering the number of patients at present in the Lunatic Asylums of Canterbury, Otago, and Wellington, this Council is of opinion that the Government should take the necessary steps for securing the services of three properly-qualified medical practitioners, for the purpose of filling the situations of medical superintendents of the Lunatic Asylums of Canterbury, Otago, and Wellington;

And the amendment of the Hon. Mr. G. Buckley, To add at the end thereof the following: "and that the reports of the Inspector, Dr. Skae, recommending alterations and additions for the improvement of the various lunatic asylums of the colony, should receive the immediate and serious consideration of the Government."

The Hon. Dr. GRACE said he only wished to add to the few words he had given utterance to on the previous day, that he thought it would be difficult to estimate the value of the services which Dr. Skae had rendered to the colony in his position of Inspector of Lunatic Asylums, and by his report upon the condition of the lunatics of the colony. He (Dr. Grace) held that whenever the country had the courage to look its shortcomings fairly in the face it was on the high road to remedying those shortcomings. The report of Dr. Skae reflected a good deal of credit upon the Government whose official he was. It showed that Ministers fully realized the position, and afforded the best guarantee—or, at any rate, an excellent guarantee—of their desire and intention to remedy existing deficiencies. It must, however, be remembered that some fair period of time was necessary to enable Dr. Skae to familiarize himself with the requirements of the colony in this direction, and to enable him to judiciously weigh the value of such remedial measures as he had already brought into force. He (Dr. Grace) believed that any one who had inspected the institutions in America, in the United Kingdom, or in Germany could note defects and trace out material faults. If honorable gentlemen would allow their minds to travel back for a period of twenty years, and consider what was the condition of the lunatic asylums throughout England then—more particularly the county institutions, both in England and in Ireland—and also remember the wealth and resources the Imperial Government had under its control, it would be found that the condition of the New Zealand asylums, even now, was not so thoroughly disgraceful as honorable members not quite familiar with the subject would have the Council suppose. But in all these matters, as soon as the country boldly recognized its deficiencies it honestly endeavoured to improve its institutions, and, thus awakened, the country soon began to travel in the right track. Experience was the great want—matters were still very much in a transition state—and in the expenditure of money it was very necessary to proceed with becoming caution and care. As bearing upon the whole subject, it occurred to him that when visiting a hospital in New York, the Rosenvelt, one of the finest institutions in the world, he noticed in a courtyard to this palatial institution a miserable little hut—such as would be seen beside a sawyers' pit in the bush. This, of course, attracted his attention at once, and he asked the gentleman showing him the place what was the object of this hut. "Oh," he replied, "we put all the bad cases there." There was this magnificent building, with its noble Corinthian columns, its glorious proportions, with every convenience that an immense revenue—probably a revenue of £30,000 a year—could procure, and yet there was this hut erected for bad cases. If they were going to be enthusiastic, let them be wisely enthusiastic. He believed that the meanest accommodation—an ordinary bell-tent, a mere shed, if erected within any decent enclosure, and on a large piece of land, four or five hundred acres in extent, giving opportunity for plenty

of outdoor work—would be more valuable than the most expensive building which could be erected on a cramped space, if this single provision were added: the personal supervision of an intelligent medical man—not mad himself; because that was a material element in the matter. The great majority of lunacy experts were insane. The great majority of them were looked upon by the profession as being insane.

An Hon. MEMBER.—Why?

The Hon. Dr. GRACE.—From their constant contact with psychological and physiological conditions which neither they nor anybody else can understand.

An Hon. MEMBER.—Dr. Skae?

The Hon. Dr. GRACE.—Dr. Skae had the advantage of having a wife and six children, and that was quite enough to bring any man down to mundane matters. He was speaking of ordinary experts; and his object in making the remark was to show that if the country employed lunacy experts they must have an opportunity of relaxation of mind, they must have change, they must lead a decent life, because the strain on the nervous system was so great, if they were enthusiastic in the performance of their duties, that they could not easily stand against it: therefore they must not be expected to be mere drudges. That which was of further practical importance was this: They should not be so ready to rush into the construction of expensive buildings as to see that the lunatics were treated with fair consideration and kindness, that there was a genial atmosphere around them, and that the servants did not look upon them as wild animals which should be put in cages. There was no great mystery in the treatment of ordinary lunatics beyond the reach of the ordinary medical man, who knew anything of the physiological principles of the disease; and if the services of an expert were obtained the risk was run of getting a man who was himself mad, and who persisted in assigning a psychological reason for this, and a physiological reason for that, simply because that was his own craze at the moment. Justice required that he should say that he did not think honorable members should blame the Legislature for its slowness in voting large sums of money for these purposes. It was very difficult for the ordinary class of legislator to appreciate the value of such provisions at all; and it was only by the constant direction of the attention of the best-educated people in the colony to the consideration of these subjects that they could expect anything like a general interest to be taken in them; and in that way he thought the services of the Hon. Captain Fraser in this direction had been most valuable. He took the opportunity of adding that, in his opinion, the management of all our institutions was cumbersome, expensive, and unsatisfactory; but chiefly owing to the want of administrative capacity in the people in charge. And that brought him back to that which was essential, and which was the *gravamen* of this resolution: that they could not administer a large asylum at all efficiently unless they had a competent expert; but, in addition, that competent expert must be a com-

petent administrator; and there was the difficulty—the gravest difficulty. It involved a combination of qualities which was most rare. And then came in a danger attendant upon this difficulty: they might introduce into this colony from England experts who would be experts pure and simple, and they might have no administrative capacity. Now, it seemed to him that Dr. Skae had pre-eminently administrative capacity; that he had got that canny terse way of looking at a thing, and weighing its essentials of importance in his situation—that was of the first order. If any one would consider the patient, good-tempered, genial way in which Dr. Skae had utilized the resources at his hand, and the way in which he had carefully avoided quarrelling with a single director of any of the institutions, he could not fail to credit that gentleman with the highest rank amongst administrators. A man of that kind was worth £2,000 a year to the colony. He only hoped the colony was treating him with proper consideration and proper respect: if not, it would be bound to lose him. There was no doubt he was a valuable man. He (Dr. Grace) had nothing to do with these institutions. He was purely an observer. He had nothing to do but just to walk into an asylum, go round it three or four times, open a cupboard, and take a look at the people, and he could tell whether the person in charge was an administrator or not. He did not mean to say that he could administer himself—he had never had anything to do with administration; but he could tell in a minute whether there was proper administration or not: and running through the whole of the reports of Dr. Skae they would find evidence of capacity for administration. They would find a man who was not sticking at trifles—who was not perpetually saying, “You must do this,” and “That is imperatively necessary, and the other is essential.” They found him utilizing the resources at his hand in a manner that was most valuable. If they were to get their institutions into decent order, they must in the first place treat such men with great consideration when they had got them, and in the next place patiently look for others of a similar kind. He had been led to say much more on this subject than he had intended. He would like briefly to epitomize what he considered material. In the first place, he considered it material that there should be more room within, and ample space around, the lunatic asylums; in the next place, that in asylums where lunatics were at all numerous there should be resident experts; and, in the third place, that the colony should look for efficient administration on the part of those experts, and not to the exercise of their professional expertness alone.

The Hon. Dr. POLLEN said he was not going to allow the debate to close without saying a few words on a subject which had always been to him one of considerable interest. He entirely agreed with the estimate which his honorable friend who had spoken last had formed of the capacity of the present Inspector of Lunatic Asylums, Dr. Skae; but he thought that, unless something were immediately done to remedy the grievous defects which he had shown to exist in our

Hon. Dr. Grace

administration, that gentleman must himself soon be classed with the mad doctors, and for that reason alone to which the Hon. Dr. Grace had referred. The strain which had been put upon him by the difficulty of obtaining the attention of the Government, by the manifest deficiency of the machinery of which he had the control, and by the work which he was obliged to perform, was almost sufficient to drive any man out of his senses, even with that protection of "a wife and six children," which his honorable friend seemed to think so effectual. He (Dr. Pollen) was quite sure that his mental organization could not stand such a strain as Dr. Skae had been subjected to for a very long time. It had been properly said that the great want in these asylums was space; and that want could only be supplied by means of money—those votes which the Hon. Colonel Whitmore mentioned on the previous day as having been so deficient in the past; and if the Government which his honorable friend opposite represented should, upon this occasion, fail in getting these votes, there was one quality in the administration of their predecessors which they might very well imitate—that was, the courage of providing for great public wants without the formality of appropriations. If there was one point of administration in regard to which any Government would be excused for travelling beyond the power which Parliament might be disposed to give them, it was this particular one. He hoped very strongly that, the attention of the Government having been directed, as it would be by this discussion, to this very important subject, they would not neglect their imperative duty to make the necessary provision, as far as it could be done during this session, for the wants of these institutions. He need not repeat, what had been said before, that their present condition was a disgrace to the colony and to our civilization in this nineteenth century. He had pleasure in supporting the motion.

The Hon. Mr. WILSON said it had not been his intention to speak on this subject, which was an exceedingly painful one; but he did not think that some remarks made in the course of the debate by the Hon. Sir F. Dillon Bell should be allowed to pass unnoticed. It had often been said, and frequently by the honorable gentleman himself, that there was no party feeling in that Council. Now, he would ask honorable gentlemen if a more bitter attack had ever been made upon any Government than that made by the honorable member against the late Government. As he said before, this was an exceedingly painful subject, and one that appealed at once to the sympathies of the entire Council; and there was no doubt that the report of Dr. Skae was a very painful document to read, and that in the past great neglect had been shown to these institutions, which were now in a very unsatisfactory state. But it was very unfair to throw the responsibility of the present state of things, and of what had happened in the past, entirely on the late Government. It was not difficult to find a cause for the unsatisfactory condition in which these institutions were. It was well known that

were, previous to Abolition, under the control and carried on at the expense of the provinces. Now, these Provincial Governments knew for a long time that their existence was threatened, and, although he did not go so far as to say they neglected these institutions, yet it was beyond doubt that they did not rush into any expenditure on their account which could possibly be avoided. Then, while Abolition was taking place, a sort of hiatus occurred, and ultimately the institutions were handed over in a very bad state, without proper provision being made for their being carried on by the General Government, and they had continued in a defective condition up to the present time. The honorable gentleman who had just spoken had not said much on behalf of the Government of which he was a member. The fact was, that the Government had not had an opportunity of doing much. It carried on the institutions as well as it could, and hesitated to embark upon any great outlay on a department which had only recently come into its hands; and probably the same unsatisfactory state of things continued. But he could say this: that, when the late Government came into power, although they could not do everything at once or perform a miracle, they at any rate sent for the best man they could find, and authorized him to make a strict investigation and to report upon these institutions. The report of that gentleman was now before the Council, and it disclosed a state of things which it was impossible could be allowed to continue, no matter what Government was in power. He thought that this subject was the most unhappy weapon of attack which could have been used. It was impossible for any one to read the Inspector's report without feeling horrified that such a state of things should exist. But, as the Hon. Dr. Grace said, these things were exceedingly difficult to deal with, and reform was not to be accomplished in a day. The Hon. Sir F. Dillon Bell animadverted upon the expenditure which had been incurred by the late Government, and said they could afford to spend money on public works and so on, but had devoted nothing to this object. He (Mr. Wilson) was quite certain that, had the late Government come down to the other House and asked for a large vote without showing in what way it was to be expended, no one would have found greater fault with them than the honorable gentleman himself. It was not possible to propose anything until the Inspector's report was obtained. In Wellington it had not been possible, up to the present time, to find a proper site for the asylum, and the patients had been obliged to remain in a building which was utterly inadequate for their accommodation. The same thing had occurred in other places. It was very easy to find fault. The late Government, no doubt, had committed faults—he never knew a Government that had not—but he thought it was very hard that, having done, at all events, what they could, they should be accused, he might almost say, of want of common humanity in having allowed these asylums to continue in the state in which they were. It was unfair to cast that imputation upon them, and the Hon. Sir F.

Dillon Bell went a great deal too far in alleging that the late Government had treated these institutions with neglect. He observed that the Hon. Colonel Whitmore intended to move for a return showing what had been done, and when these returns were produced he thought it would be seen that, although the late Government could not do a great deal, they did all that was possible under the circumstances.

The Hon. Mr. WATERHOUSE thought it was very desirable that a subject of this importance, and having attached to it the special interest that belonged to this particular question, should not be considered at all upon a party ground, and for this reason he had heard with regret party allusions introduced into the debate. It would be a sad thing indeed if the condition of the distressed portion of their fellow-creatures whose case was brought before them in the paper which was now under consideration should be at all influenced by party action or by party feeling. But he was astonished that his honorable friend Mr. Wilson should allow any party feeling whatever to influence him in the statements he had just made, and assert, on behalf of the Government with which he had been connected, a degree of credit which did not attach to them. He had stated that Dr. Skae was appointed by the late Government. The honorable gentleman was labouring under a great misapprehension on that point.

The Hon. Colonel WHITMORE hoped the honorable gentleman would excuse him for correcting him. He must have misunderstood the Hon. Mr. Wilson, who only said that Dr. Skae had been sent for by the late Government to report; and so he was.

The Hon. Mr. WATERHOUSE said that Dr. Skae was appointed in consequence, he believed, of action taken by the provincial authorities themselves, who were anxious that there should be a general superintendence of the asylums in the colony.

The Hon. Mr. WILSON thought the honorable gentleman would find that Dr. Skae was appointed by the General Government.

The Hon. Mr. WATERHOUSE said that the appointment was made in July, 1876; and, when the honorable gentleman took credit to the late Government for having appointed Dr. Skae, the very date of his appointment carried with it a refutation of the statement made by the honorable gentleman. He could not even tacitly give his assent to the view expressed by the Hon. Dr. Pollen. He would never be a party to recommending the Government, whatever Government might be in office, to do an action that he believed to be illegal; and he hoped that the advice of the honorable gentleman would not be followed, although he agreed that there would be a greater excuse were it followed in giving effect to the relief of lunatics than had been the case where the law had been violated in other instances. But he hoped the Government would take a decided stand in this matter; that they would bring forward a motion for the granting of such relief as was absolutely necessary to put these institutions upon a proper footing, and that they

would not lightly allow themselves to be defeated. It was a position on which they might with great credit to themselves, and with great advantage to the suffering community affected by their action, take a decided stand and say, "We require, on behalf of these unfortunate lunatics, a certain amount of relief, and we insist upon that relief being granted. We stake our Ministerial existence upon our being able to obtain an amount of pecuniary assistance that in our opinion is requisite." That would be a worthy and charitable stand to take, and he hoped that stand would yet be taken by the Government. It was not his intention to occupy the time of the Council with any remarks on the subject. It had been very exhaustively debated, and he believed great advantages would result from the debate which had been initiated by his honorable friend Captain Fraser, to whom they were so much indebted for bringing this subject forward in the very able manner in which it had been brought forward.

The Hon. Colonel BRETT rose to express his admiration of the philanthropic efforts of his honorable and gallant friend to alleviate one of the greatest maladies that afflicted the human race. He quite agreed in the desirability of the lunatic asylums of the colony being conducted, as was the case in England, under medical men. When in Great Britain a few years ago he visited most of the lunatic asylums there, and could bear testimony to the advantages of this system. He had found the medical superintendents to be a highly intelligent class, and they kept the institutions under their control in the highest state of efficiency. He considered that medical experts for our lunatic asylums ought to be obtained from England. In this respect he saw no difference between Australia and this colony. No doubt there were as many intelligent and capable experts in New Zealand as there were in any of the Australian Colonies. They were all perfectly aware that there were hundreds of experts in England who would be only too glad of an opportunity to come to this colony for the incomes they would be likely to receive. One object he had in rising was to mention an instance which had come under his notice of the necessity for the employment of medical men in our asylums. The circumstances of the case were these: In a certain city with which he was acquainted, an unfortunate gentleman, who was a rather celebrated photographer, was in the habit of drinking very hard, and had occasional attacks of *delirium tremens*. In one of these attacks this unfortunate gentleman—he was an intelligent man, and much respected in the town in which he lived—rushed to the lunatic asylum and said, "For God's sake take me in. I am going to destroy myself. Save me from committing this rash act. I have a large family, and I entreat and beseech you to receive me." A deaf ear was turned to his appeal, and the door was shut against him. He rushed home, took some poison, and in a few minutes was a dead man. Now, if a medical man had been in charge of that hospital he would have known, from the man's eyes, his tone of voice, and his manner, that he was insane and in a dangerous state. It was quite true that it was necessary for

Hon. Mr. Wilson

two Justices of the Peace, a Judge, or a sitting magistrate to sign an order before a lunatic could be confined; but surely in this case the officer of the institution might have taken the unfortunate man into his sitting-room, and by kind treatment might have induced him to remain whilst he sent a messenger to his family to acquaint them with the circumstances. Such a thing never would have happened had a medical man been there. He (Colonel Brett) could himself have told by the man's face that he required to be put under restraint; and yet this officer, who was supposed to be an expert, and who had been in charge of the asylum for the last fifteen or twenty years, allowed him to go away. The man's death was on that officer's head, and on the heads of the officials of the province to which he belonged. He (Colonel Brett) called upon the deceased man's family, and begged them to allow him to bring the case before the House, but, from delicacy, they declined to consent, not wishing to have their names mentioned. There was no use in his giving the name of the gentleman who had met with this sad fate, and he would rather not mention even the province in which the melancholy event occurred; but the facts he had stated were positively true. He therefore considered that it was imperatively necessary to procure medical men, not from New Zealand or any of the sister colonies, but from England.

The Hon. Mr. WOOD said he was not going to address the Council on this question at present—the hour for proceeding to the Orders of the day had nearly arrived; but, seeing that certain papers had been moved for by the Hon. Colonel Whitmore, he thought it was very desirable that the debate should be adjourned, in order that before its conclusion honorable gentlemen might have the advantage of the information which those papers would contain. He would therefore move, That the debate be adjourned.

The Hon. Colonel WHITMORE, before the question was put, would at once say that he thought it would be only ordinary fair-play to a Government or to an individual under accusation that the motion for adjournment should be acceded to, and for this reason: When the honorable gentleman to whom they were under an obligation for bringing this matter forward introduced his motion, he did not hold out any party flag—and he (Colonel Whitmore) entirely repudiated this euphemism of there being no party in the Council, and would show presently that there was. When the motion was further spoken to by the Hon. Mr. Buckley—

The Hon. the SPEAKER hoped the honorable gentleman would confine his remarks to the question of adjournment.

The Hon. Colonel WHITMORE claimed that he was strictly in order in the remarks he was making, because he wished to show that they had travelled in the debate out of the record of the motion, and therefore should have further information in their possession before making a purely political motion out of what was intended as a purely social and administrative one. There-

fore he said that, as a consequence of the white-hot political speech of the Hon. Sir F. Dillon Bell—

The Hon. the SPEAKER said the honorable gentleman was quite out of order.

The Hon. Colonel WHITMORE said political matter had been imported into this debate, and blame had been imputed to the General Government of the colony—both to the Government of which he was a member, and to that to which the Hon. Dr. Pollen belonged—and he thought that honorable gentlemen should be in the possession of the information he had asked for before making up their minds on this matter, which they were invited to do by the amendment of the Hon. Mr. Buckley; and he regretted that, as usually happened, his honorable friends rose when he had no opportunity of rebutting them. Had they not done so, he thought, perhaps, that the saddle might have been put upon the proper horse in this matter. He had, unfortunately, no opportunity of answering them, and was debarred by the Hon. the Speaker from making any reply. He bowed to the ruling of the Chair, but as they had travelled out of the record, and gone into the purely political aspect of this question, it was only fair-play that they should have the papers he had moved for under consideration before coming to a decision upon the amendment of the Hon. Mr. Buckley, as translated by the speeches they had heard in the Council. The motion for adjournment was a fair one. It was not simply a question about accommodation for the lunatics; it was now a question of censure upon the late Government.—(No.)—Honorable gentlemen would allow him to say that it had been a most distinct vote of censure for neglect of the lunatic asylums during the last two years, and—

The Hon. the SPEAKER said the honorable gentleman was again out of order.

The Hon. Colonel WHITMORE regretted that he was unable in this way to do justice to himself, but he would at least support the motion for adjournment, for the reasons which he had been able to some extent to explain.

The Hon. Mr. MILLER thought the honorable and gallant gentleman was under a complete misapprehension as to the adoption of this resolution having anything whatever to do with charges against the late Government.

The Hon. the SPEAKER hoped the honorable gentleman would not pursue that argument.

Adjournment of debate negatived.

The Hon. Captain FRASER said he should be happy to accept the amendment of the Hon. Mr. Buckley, because he quite recognized that it was a practical step in the right direction. He altogether deprecated introducing party feeling in the matter, and had been particularly careful so to word his motion and so to speak to it that political feeling might be avoided. He was glad indeed to find that the Council had responded so nobly to the cry which had come up to it from suffering humanity, and he was perfectly satisfied that the motion would not be barren in its results. Some one had said that the late Government did all it could; but there was

one step which had not been taken, but which could be taken at once, which he would take were he Premier, and which he hoped the Attorney-General would take. The female ward of the Wellington Asylum was in an exceedingly dangerous state—murder might be committed there any day or any hour. Yet the Attorney-General could remedy that state of things in twenty-four hours. In the Ministerial residence in Molesworth Street there was ample accommodation for twenty female patients, and, if the Government would only remove them there, they would at once get rid of the excess at the Asylum. He had visited the building that morning, and therefore he knew that it was suitable. It was safely enclosed; there was a spacious yard belonging to it, and, in fact, every convenience which could be expected to meet an emergency. There was no reason why this step should not be taken. It would be a great relief to the Superintendent of the Asylum, who was really struggling against great difficulties, and who had already told the Government that he would not be responsible were a murder to take place. If a murder were to take place, he (Captain Fraser) would hold the Government responsible for it, because there was no reason why all danger could not be removed in twenty-four hours. It had been said that the Provincial Councils were not to blame for the bad condition of the lunatic asylums. It was forty-seven years since he (Captain Fraser) visited a madhouse in Egypt, where human beings were treated like savage animals. The Provincial Asylum at Karori was at one time fast nearing the Egyptian standard. Again, the Hon. Dr. Grace, who visited the Dunedin Asylum in the palmy days of the Provincial Government, had spoken of the depressed condition and downcast looks of the unhappy lunatics; but what would he say if he were to visit the Dunedin Asylum now? It had been a great pleasure to him to find that his motion met with such unanimous approval, and he was sure it would have the effect of ameliorating the condition of these unfortunate people, who had had no one to take up their cause. He (Captain Fraser) was the only person who had dared to draw this skeleton out of the closet: and he had done it, no doubt, to the great annoyance of many people. But he had had a duty to perform to humanity, and he did it; but this might be the last opportunity of speaking in favour of these unfortunate persons, and he hoped the debate and motion would do good.

Motion, as amended, agreed to.

INTERCOLONIAL PROBATE BILL.

The Hon. Mr. WHITAKER, in moving the second reading of this Bill, said a measure similar in character had been passed by the Legislature of Tasmania, and the Colonial Secretary of that colony had communicated with the Colonial Secretaries of New Zealand and other colonies, asking them to introduce similar measures into their Legislatures. In consequence of that request this Bill had been introduced by the Government. The Council would know that when a person died in any of the colonies, and pro-

Hon. Captain Fraser

bate or administration had been granted in the colony in which he died, and it was desired to make that probate available in another colony, it was necessary, under the present law, to go through much the same process and expense again. The object of this Bill was very simple. Whenever probate and letters of administration "granted by the Supreme Court of any of the other Australasian colonies shall be produced to and a copy thereof deposited with the Registrar of the Supreme Court of New Zealand, such probate or letters of administration shall be sealed with the seal of the last-mentioned Court, and shall have the like force and effect and have the same operation in New Zealand." The proceedings were to have the same effect as if commenced in New Zealand; the purpose being to save expense to the estates of deceased persons, and to facilitate the dealing with estates of deceased persons. "Australian Colonies," according to the Tasmanian Act, meant the Colonies of New South Wales, Victoria, South Australia, Western Australia, Queensland, Tasmania, and New Zealand; but in this Bill was included Fiji, because that colony was more closely connected with New Zealand than were most of the other colonies. A similar Bill had been sent to the other colonies, and he believed was being introduced into the respective Legislatures. He moved that the Bill be read a second time.

Debate adjourned.

The Council adjourned at a quarter-past four o'clock p.m.

HOUSE OF REPRESENTATIVES.

Friday, 31st October, 1879.

First Readings—Second Reading—Third Reading—Tea and Sugar Duties—Railway Tariff—Timaru Railway Works—Westland Waste Lands—Higher Education—Manawatu Resident Magistrate—Agent-General—Courts—Elections, 1875-76—Rabbit Nuisance—Late Elections—Qualification of Electors Bill—Registration of Electors Bill—Regulation of Elections Bill—Corrupt Practices Prevention Bill—Election Petitions Bill—Triennial Parliaments Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Miners' Rights Fees Reduction Bill, Land Claims Arbitration Bill.

SECOND READING.

Electoral Acts Repeal Bill.

THIRD READING.

Church Property Trust (Canterbury) Bill.

TEA AND SUGAR DUTIES.

Mr. PYKE asked the Colonial Treasurer, if he will state to this House the amount of loss to the revenue resulting from the reduction of the tea and sugar duties, during the period of nine months extending from the 1st of January to the 30th of September, 1879?

Mr. HALL, in the absence of the Colonial Treasurer, begged to state that the loss which had been incurred during the nine months on tea amounted to £24,116, and on sugar to £60,970; being a total loss of £85,086. Those figures represented a loss of 2d. a pound on tea and ½d. a pound on sugar during the nine months.

RAILWAY TARIFF.

Mr. RICHARDSON asked the Minister for Public Works, Whether the Government intend to make any alteration in the railway tariff this season; and, if so, when such alteration will come into operation? It was generally understood by those interested in the carriage of produce that the Government intended to make a considerable change in the tariff this season. The season of the year had arrived when those interested in this particular direction had to make their arrangements for the carriage and shipping of produce, and the nature of these arrangements depended upon what alterations the Government might be prepared to make.

Mr. OLIVER replied that a conference of railway managers was held last month, and they made several recommendations, all in the direction of lessening the rates. These recommendations were now under consideration, and in a few days he hoped they would be adopted and gazetted.

TIMARU RAILWAY WORKS.

Mr. RICHARDSON asked the Minister for Public Works, Whether the Government have received any report from the Colonial Marine Engineer, or the Commissioner of Railways for the Middle Island, on the subject of the damage to the railway works immediately to the north of Timaru; and, if so, whether he will state out of what funds it is proposed to pay for the necessary protective works to insure the present and future safety of the railway? It was hardly necessary for him to give any explanation why he put this question on the Paper, because he thought that probably the answer he would get would be of such a nature that he should feel it his duty to bring the matter before the House in another shape.

Mr. OLIVER replied that a report had been received on this matter from the Marine Engineer. It seemed that the railway works north of the breakwater had suffered great damage, probably from the fact that the breakwater had been constructed. Certain expenses had been incurred, and these would be charged to the railway construction account. Possibly, in the end, the Government might have a claim against the Timaru Harbour Board.

WESTLAND WASTE LANDS.

Mr. GISBORNE asked the Minister of Lands, Whether the Waste Lands Board of Westland has declared, or is about to declare, any blocks of land open for selection on the homestead system on the conditions specified in the land regulations of the District of Westland; and, if so, where the blocks are situated? If no such declaration has been, or is about to be made, will the Government

impress on the Waste Lands Board of Westland the importance of such blocks being set apart as soon as possible? He believed, if this were done, it would have the effect of promoting the settlement of the land very much. He wanted to know what steps had been taken to give effect to the matter.

Mr. ROLLESTON might say that the Waste Lands Board of Westland did make a recommendation with regard to a certain block of land; but it turned out to be impossible to give effect to that recommendation, because it was subject to the terms of the Westland Loan Act. He did not know what the intention of the Board might be, but he believed they had in contemplation a further recommendation.

HIGHER EDUCATION.

Mr. GISBORNE asked the Minister of Education,—(1.) Whether the Government will introduce, this session, a Bill, as requested by the Senate of the University of New Zealand, with the object of securing, for the purpose of higher education in the Provincial District of Wellington, the 4 000 acres required by "The University Reserves Act, 1875," to be set apart for that purpose? (2.) Whether they will introduce, this session, a Bill, as requested by the Senate of the University of New Zealand, to vest in trustees the lands reserved for promoting higher education in the provincial districts in which they are situated, and to enable such lands to be administered for the purposes for which they are reserved? (3.) Whether the Government recognize that an equivalent endowment should be given for the purpose of higher education in the Provincial District of Auckland, in place of the reserve of 20,000 acres set apart in the Parish of Tahawai, in the District of Tauranga, by the Resident Minister at Auckland about June, 1869, and afterwards appropriated by the Government for another purpose?

Mr. ROLLESTON said he stated on a previous occasion that it was not the intention of the Government to introduce legislation with regard to the University during the present session. With regard to the 4,000 acres that were set aside in the Provincial District of Wellington, steps were being taken which would practically secure it, pending legislation, for the purposes of higher education. As to the second question, he had already answered it. He was advised that there was already provision in reference to that which rendered it unnecessary to legislate on that particular point. With regard to the last question, he thought the facts were known to be these: that practically a very much larger area was reserved than was originally sanctioned by Act, though this particular block of 20,000 acres was not set apart.

MANAWATU RESIDENT MAGISTRATE.

Mr. JOHNSTON asked the Government, If they will appoint a Resident Magistrate for the Manawatu County? His question affected two counties—Rangitikei and Manawatu—and he had been asked to represent that the district was so large that it required the undivided attention of one Magistrate.

Mr. ROLLESTON said that up to the present time the Government had had no representation from the Resident Magistrate or the residents, except the communication that had been made to him on the subject by the honorable member. The Government would consider the question, and he would be glad to let the honorable member know, after further inquiry, what steps the Government would take.

AGENT-GENERAL.

Mr. GISBORNE asked the Premier, Whether the Government agree in the recorded opinion of the late Government, that the Agent-General of the colony should not be a candidate for a seat in the British House of Commons? Also, whether the Government will give effect to the decision of the late Government, that the Agent-General of the colony should not also be a director of the New Zealand Agricultural Company?

Mr. HALL said that, with a view of clearly informing the House how the matter stood, he would read the last two telegrams which had passed between the late Government and Sir Julius Vogel. He was not sure whether the last one from Sir Julius Vogel did not arrive after the present Government had taken office. On the 20th September the late Government telegraphed,—

"Vogel, London.

"Government considered letter June 17th. Still holds former opinion. Now requests you resign office Director Agricultural Company at once. Reply Yes or No by telegram. Government cannot allow Agent-General take any part in politics at Home, or in private business.

"GREY."

The reply was imperfectly telegraphed,— "knew," or "were aware," being omitted. He would read it as it was received:—

"Premier, New Zealand.

"Some members Government I was assisting organize Company; and I find shareholders would not think it fair me to resign for some time to come.

"VOGEL.

"London, 8th."

With regard to Sir Julius Vogel being in Parliament, the present Government concurred in the opinion of their predecessors that that would not be expedient. The Government also agreed as to the inexpediency of the Agent-General being connected, as a director, with the Agricultural Company; but, looking to the fact stated by him, that some members of the late Government were aware of his assisting in organizing the Company, they thought it only right that a reasonable time should be given him to withdraw; and they would communicate with Sir Julius Vogel in that sense.

Sir G. GREY.—May I ask the honorable gentleman to state what members of the late Government were aware that Sir Julius Vogel was assisting in organizing the Company?

Mr. HALL.—The only information we have is that conveyed in the telegram from Sir Julius Vogel.

Sir G. GREY.—Would the honorable gentleman make inquiry, to ascertain it?

Mr. Johnston

Mr. HALL.—Certainly: or the honorable gentleman could ascertain it from his colleagues.

Mr. MONTGOMERY.—Make the inquiry from Sir Julius Vogel, as to the members of the late Ministry he refers to.

Mr. HALL.—It would cost £20.

Mr. MONTGOMERY.—It is worth £20.

COURTS.

Mr. HISLOP asked the Government, Whether, during the recess, they will cause a Bill to be prepared consolidating and amending the law relating to Resident Magistrates' Courts, District Courts, and Supreme Courts, with a view of simplifying the same, and with a view especially of rendering less expensive the trial of cases at present only within the jurisdiction of the Supreme Court? During the session of 1878 there was introduced into that House a Local Judicature Bill, by the late Attorney-General. He was anxious to know whether the Government intended to introduce a Bill of a similar kind this session, dealing with the whole question of judicature.

Mr. HALL said the subject was a very large and important one, and the Government could not say more at present than that they would carefully consider it during the recess.

ELECTIONS, 1875-76.

Mr. HISLOP asked the Government, Whether, during the general elections of 1875-76, or shortly thereafter, the then Ministry, or any member thereof, sent, as public telegrams, telegrams on electioneering subjects, or on the subject of the advisability or otherwise of any defeated candidates petitioning against the return of any members; and, if so, whether they will lay copies of such telegrams before this House? Also, whether the Government, or any member thereof, at that time obtained the opinion of Law Officers on the legality or otherwise of the return of any member, and communicated such opinion to any defeated candidate? He was moved to put this question on account of a question of which notice was given and postponed from yesterday, with regard to telegrams which were supposed to have lately passed between the Government and certain of their supporters; and also on account of the knowledge he had of certain transactions of a similar nature which took place in 1875 and 1876.

Mr. HALL said the honorable gentleman's question was two-fold. With regard to telegrams on electioneering subjects sent at the public expense, the Government held that any documents of that kind in the office were public property, and certainly ought to be communicated to the House, if desired; but, as telegrams were not kept for more than two years, they would have been destroyed after the lapse of that time. For the other documents search would be made, and, if there were any of the kind in existence, they would be produced.

RABBIT NUISANCE.

Captain RUSSELL asked the Government, If they will take into consideration the advisability

of granting special facilities to trustees of rabbit districts to obtain powder free of duty, and in larger quantities than can be obtained under the present regulations?

Mr. HALL said it would be impossible to make any efficient regulations for relieving from duty gunpowder used for the destruction of rabbits. The total amount of duty on gunpowder collected last year was only £1,700. With regard to the sale of larger quantities, the honorable gentleman was probably not aware that under the existing regulations a quantity of ammunition not exceeding 25 lb., with corresponding quantities of shot and caps, could be issued when the officers were satisfied that such ammunition was required for the destruction of rabbits. Probably that amount would satisfy the honorable gentleman.

LATE ELECTIONS.

Mr. SAUNDERS asked the Commissioner of Telegraphs, Whether the late Ministry had sent telegrams on electioneering subjects as public telegrams; and, if so, whether the Government will lay copies of such telegrams before this House?

Mr. HALL had already stated that the Government recognized the principle that telegrams sent as Government telegrams were public property. In this case, he was informed that free telegrams with reference to the late elections were sent by members of the late Ministry: he had not seen those telegrams. But the Government also recognized that there might be cases in which it would be prejudicial to the public service to produce public papers. The Government would examine the telegrams in question, and, if it were found that it would be prejudicial to the public service to produce them, they would ask the House not to insist upon their production; but, if not, the honorable gentleman's request would be complied with.

QUALIFICATION OF ELECTORS BILL.

Mr. HALL.—I explained the principles of this Bill very fully in moving for leave to introduce it. I shall therefore trouble the House with but few remarks on this occasion. The Bill proposes to abolish the existing qualification of a £50 freehold, the leasehold, the household, the lodgers', and the ratepayers' franchise—which qualifications constituted a not illiberal franchise; and it will simplify the subject by providing that every man who has resided twelve months in the colony and six months in any one electoral district shall, upon being placed on the roll, have the right to vote. The proportion of the adult male population on the electoral rolls of this colony is as large as in any of the Australian Colonies; and the fact that it is not larger is due, we believe, not to any illiberality in the franchise itself, so much as to the difficulties which have existed in the way of voters being put upon the electoral roll. Upon that subject I will speak more fully when I move the second reading of the Registration of Electors Bill. This Bill deals solely with the qualification. We propose, in addition to the residential qualification, to provide that every man having a freehold property, whether encumbered or un-

encumbered—in this respect the Bill is more liberal than any previous law—shall have the right to vote. That is a moderate recognition of the rights of property. We believe that it will give a second vote, probably, to a large number of small freeholders who are a very valuable class in any country, and a class which, I trust, will become numerous in this colony. We consider that the case of the miner will be sufficiently provided for under the residential qualification, and there is not, therefore, any necessity for continuing the exceptional privilege which is at present conferred by the miner's right. With regard to the Maoris, we do not propose that they shall vote under this Bill at all. They are provided for under a separate Bill, which, I trust, will be found as satisfactory to both races as any such measure can be. I move the second reading of the Bill.

Sir G. GREY.—I think it impossible to peruse this Bill without a feeling of very great disappointment. We lately had enacted in this House a very remarkable scene. Members on both sides were apparently bidding for popular favour, and I understood them all to express far more liberal opinions than are embodied in this Bill. I believed the time had come when, with the universal consent of the House, very liberal opinions indeed might have had effect given to them in an Electoral Bill. In the first place, this Bill is singularly deficient in clearness of language. I do not know that I ever read a Bill which was so absolutely involved. From the language of the 2nd clause it appears doubtful whether the object of the measure is not simply to provide for registration. For instance, it says that "The members of the House of Representatives shall be chosen in every electoral district appointed for that purpose by the votes of the inhabitants of New Zealand" who shall reside within such electoral district. One would imagine that it was the inhabitants of New Zealand who were appointed to vote what the district was to be. That is clearly a grammatical error: the language is so involved that it surely does not express the honorable gentleman's intentions. But it will be seen that this is really a Bill which increases the power of property very largely in elections. At the present moment the freehold qualification is a freehold of the value of £50. By this Bill it is reduced to £25. Now, the effect of the Bill as it stands—and it is a difficult one to understand—is this: that every freeholder who has a property valued at £25 within any electoral district will have a vote for that district. It will be quite possible, therefore, for a man to have the power of voting in twenty different districts, or even a larger number. The reduction in the value of the freehold estate, instead of being a boon, is, where you give manhood suffrage, positively an evil—that is, it gives a greater power to property than it possesses at present. That is a very serious defect in the Bill, and I hope the clause will be struck out altogether, as I understand it to be the wish of the House that manhood suffrage should be the only qualification in New Zealand. When it was necessary to gain strength in the country, that was the universal opinion of

the House. I shall, therefore, do my best to get this Bill so framed that the only qualification recognized in the country shall be manhood suffrage. Then there is another very peculiar feature in this Bill, and it is that it gives manhood suffrage in this extraordinary way: that the age of the person is not stated. A freeholder cannot become an elector unless he is twenty-one years of age, but, if he comes under the manhood-suffrage provision, he may be fifteen, sixteen, or seventeen years of age, or any age that the Registration Officer thinks proper. That is a most serious mistake. That it is intended such shall be the provision I presume to be the case, because it is followed out in the Registration of Electors Bill. By that Bill no age has to be stated in the application to a Registration Officer to be placed upon the roll: a boy may apply. Turning from these two points, which I think of very great importance, I now beg the House to observe that at the present moment the Native population of New Zealand have, by the Constitution Act, exactly the same rights as their European fellow-subjects. They stand in exactly the same position. But by this Bill that right is taken from them, and no other right is given to them in its place. I say this Bill cannot pass until the other Bill is passed giving the same right to vote to the Maoris that they now possess. I think the House will bear me out in taking that view of the case. I shall hold, when we come to consider the Maori Electoral Bill, that, instead of being satisfactory, it is most unsatisfactory to the entire European population and to the entire Native population; and I feel that it will be so distasteful to the House that it never can be passed in the form in which it has been brought in. Whatever the strength of the Ministry may be, I am sure they cannot pass this Bill in its present form: of that I am confident. These are the main points of objection I take to this Bill. I shall endeavour, in Committee, to get one suffrage recognized in New Zealand, and that suffrage is manhood suffrage. That is amply sufficient to provide for the wants of the country, and is what I certainly understood the other night was to be the only suffrage. I shall also endeavour to prevent any law being passed which takes away from the aborigines the rights they now possess, until some other right is given to them. Generally, I shall endeavour to get the Bill amended in its form. I shall try to get numerous alterations made in the language, which, at present, I think excessively loose and involved. Further, I think I shall convince the House, if there is an attempt to force the Bill through in its present shape, that it is really a Bill to give property a far greater power than it has now, and that it is an absolute sham and snare. It is not what the country requires, and it is not what the House will accept.

Mr. BRANDON.—I hope the honorable gentleman will not succeed in his proposed alterations. I say the Parliament not only legislates for persons, but for property and its rights and liabilities; that property, therefore, has a right to be represented, and every holder of property has a right to a vote in respect of that property in the election of members to this House. I

think the Bill goes quite far enough in the franchise which it gives. The present franchise is quite broad enough, and we should be going too far if we only required a residential qualification. The honorable gentleman is wrong if he supposes that the country goes with him. It does not want to deprive property of representation. The honorable gentleman may try in Committee to make the alterations which he indicates, but I hope he will not succeed. I shall try and place some restriction on the residential qualification, because, as it stands now, it would only hold out inducements to the demagogues of the day to address mobs, and carry away with them those who, having but lately arrived in the colony, really do not understand what the wants of the country are. I say twelve months' residence is too short a time. I shall endeavour to get it lengthened.

Colonel TRIMBLE.—With regard to the observations made by the honorable member for the Thames about this property qualification, I really do not see why it makes much difference. I apprehend that no one whose name was put upon the roll under the first part of the qualification provided for here would also be put upon it under the second part. As to a man being able to vote in twenty different districts, I would remind the House that this is only one of a series of Bills introduced to attain a certain object; but, for special reasons, the provisions are put in different Bills. The honorable member for the Thames has referred to the Registration of Electors Bill, and I would refer him again to another of the series. In the 28th clause of the Regulation of Elections Bill he will find the following provision:—

"The Returning Officer may, and if so required by any scrutineer shall, before allowing any person to vote, put to him the following questions: (a.) Are you the person whose name appears as A.B. on the electoral roll now in force for the Electoral District of [name of district]? (b.) Have you already voted at the present election for any electoral district in the colony? And any person not answering such questions, or not answering the first in the affirmative and the second in the negative, shall not be permitted to vote."

It will therefore be seen that this question of dual voting is amply provided for in the measures before the House. Then, with regard to the Maori votes, I apprehend the honorable gentleman does not want to give dual voting to the Maoris, and not to Europeans. It is quite clear we must either abolish their special representation, or else confine the Maori voting to the return of Maori members. I apprehend that either one course or the other must be adopted: which is the more liberal the House must decide; but, for my own part, I think the sooner we get rid of the special representation the better: then we can really say that the Maoris shall be on the same footing with ourselves in the matter of elections. But, as long as you give them special representation, it seems to me you cannot give them votes for European members; otherwise you give to those who are certainly not so

Sir G. Grey

used to free institutions as ourselves more power in the elections than those who are better qualified to use it.

Mr. WAKEFIELD.—I must say I was disappointed to hear such a speech from the honorable member for the Thames upon a subject which he has claimed to be specially his own. The objections which he submitted to the House must have struck every member as of an exceedingly trivial character—some verbal criticisms of clauses, and a mere carping at defects that could be set right in the simplest possible manner in Committee. The Bill is not at all involved or complicated. It is perfectly clear and simple to any one who approaches it in a spirit of candour, who desires to understand its provisions, and who wishes to do justice to those whom it affects. I cannot say I was astonished to hear the honorable gentleman come down and say he would turn this Bill into a Bill for manhood suffrage—he would have it altered in Committee so that it should give effect to that principle. Of course his object was clear. No one could miss it. He wanted the impression to be made on the House and the country that the present Ministry had brought in an illiberal measure, and that the duty still devolved upon himself to see that it was put into a liberal shape, because he was the true author of liberal measures. But will honorable gentlemen who were here in 1878 recall to their memories what took place then? They must recollect that, when the honorable member for the Thames brought in his Electoral Bill, the honorable member for Akaroa and myself called upon him to strike out the property qualification, but he would not. The honorable member for Akaroa and myself took up exactly the same position which the honorable gentleman is now taking; but he opposed our amendment, and successfully carried his Bill. I like a man to stick to his colours, and, if he holds an opinion one year, to hold the same next year, or give a good reason for the change. But the reason for his change is quite clear. He was on the Government benches last year: he is in opposition this year. When we tried last year to get a really liberal Electoral Bill from that honorable gentleman, we could not get anything of the kind. I recollect the strenuous efforts my honorable friend the member for Akaroa and myself made to get the property qualification struck out, and I recollect, too, the speech of the honorable member for the Thames, in which he absolutely repudiated the idea of having even advocated the abolition of the property qualification. When challenged with what he had said in his numerous addresses to the people on platforms and at the hustings, he declared that what he had said then only referred to the exercise of the dual vote at local elections. The honorable gentleman must recollect his going all over the country and declaring that every man should have one vote, and one vote only, and that because he was a man; and when we challenged him with that in this House—not as a hit at him for what he said at the hustings, but because we were earnest in our wish to get rid of this qualification—the honorable gentleman said, “Oh! the honorable member

for Geraldine has made a great mistake in saying that I ever advocated the abolition of the dual vote in general elections. I only referred to local elections.” The honorable member for Akaroa will bear me out in that. But the honorable gentleman has changed since then, and now, when others bring down a Bill far more liberal than he ever attempted to introduce, he, forsooth, assumes the rôle of the Liberal legislator and says, “I will take steps in Committee to carry out what I think ought to be done. I will take care that the whole representation of the colony shall rest upon manhood suffrage.” Sir, that is the greatest piece of humbug and the greatest piece of impudence I ever heard. It is an absolute imposture for the honorable gentleman to come down now and criticise as he has done a measure which is far more liberal than any he ever conceived. For myself, I may say that at every electoral meeting I have attended I have held that the dual property vote should be abolished. I have tried to carry that out, and should have carried it out, but for the determined opposition of the honorable member for the Thames and his colleagues who brought in the Electoral Bill last year. I despise an honorable member who can come down to this House and pretend that he is the author of a principle of which he has been the determined opponent in the past. If he wants the country to have a really liberal electoral law let him be consistent and true, and let him not attempt to snatch from those who have been really earnest in their work the fruit of their labour. The honorable gentleman tells us that this is the worst measure that has ever been produced in the world, or some such nonsense as that, because the words “twenty-one years of age” have been left out of a clause. What does it amount to? His objection is not worth a straw. The Bill says “man,” and it is very well understood that “a man” means one who is twenty-one years of age or over: at all events, the substitution of the word “adult” for “man” would do away with all difficulty, and answer the absurd and quibbling objection of the honorable member. Then he attempts to fix upon the Ministry the blame of having given greater value to property in this country than it has hitherto had, by lowering the freehold qualification from £50 to £25. There is not a member in the House who does not see straight through the honorable gentleman when he makes that statement. The provision merely means this: that a poor man may, under this Bill, register in respect to his small property; whereas formerly he could not do so unless his property was worth £50. Surely that is not giving property greater power? It certainly extends the property qualification to a class of holders who could not exercise the franchise before; but is the poor man not to have that right, because he is poor? I say it is an excellent provision, and I hope to see an immense number of the class of small holders ready and proud to exercise the franchise in respect to their property. We have now a Ministry in power who will make a reality and not a sham of settling people on the land. We know it by the provi-

sions they are making for village settlements and deferred payments, which were utterly neglected by the honorable gentleman and his colleagues last session; and we shall see a large and valuable class of settlers spring up under the proposed law, who will take advantage of this qualification, and get their names placed on the roll. I know the honorable gentleman does not want to see that class spring up in the colony; he does not want to see them have political power, because he knows very well that they are a really deserving class, who would have the best possible kind of influence in counteracting the power of that floating population upon whose support—whose unthinking support—he has so far based the substance of his power. I hope the House will not interfere at all with the proposal of Ministers to reduce the value of the property in consideration of which a landowner may register his vote. By all means let people having twenty-five pounds' worth of land have a vote, and it will not give property any more power than it had previously, and, even if it did, it would not do any great harm in New Zealand. I think this is as good a Bill as we are likely to get from any Ministry in power. As for the dual property vote, I shall vote against it, as I have voted on former occasions; and I will go with the honorable gentleman or any one else who chooses to move an amendment in that direction. If the honorable gentleman does not move it, I shall move it. On a former occasion the honorable gentleman opposed me, and compelled me and the honorable member for Akaroa to leave the House with a feeling of bitterness at the absolute repudiation of all his liberal professions at hustings meetings. He need not fear about that: we are going to have true liberalism in this House with regard to the franchise, and not the sham he has dealt out to the country and absolutely laid aside the moment he came to the measures and practical work in this House. I do not want to prolong this discussion, and I should not have spoken as I have had it not been for the audacious attempt on the part of the honorable gentleman to represent himself as a great Liberal reformer, whereas he has been the great obstructor of liberal reforms. Although we are on different sides of the House, I hope the honorable member for Akaroa will revive that alliance with me which we formed in 1878, to try to bring about the very reform which the honorable gentleman refers to. I hope the Bill will pass with very small alterations, beyond what will satisfy the honorable gentleman's paltry criticism with regard to the punctuation of a passage or the omission of the word "adult."

Mr. MOSS.—The honorable member for Geraldine told us, with that modesty which generally characterizes his speeches, that every member of the House must be struck with the very paltry character of the remarks made by the honorable member for the Thames (Sir G. Grey). Well, the honorable member may be surprised to hear that I, for one, am not of opinion that the remarks made by the honorable member for the Thames were of that character. The remarks made by the honorable member for Geraldine might fairly be called remarks

of a paltry character; while the remarks made by the honorable member for the Thames struck at the very root of the Bill and attacked whatever there might be of principle involved in it. What was the nature of the honorable member for Geraldine's remarks? "I say;" "I did all that years ago;" "I said this;" "I did that." It was "I" perpetually. The honorable member for the Thames told us his opinion as to the want of principle evident throughout this Bill; and I certainly agree with him. The honorable member pointed out, in the first place, that it is very objectionable that the clause should give a vote to holders of property of £25 value, because it enables them to have a vote in a large number of districts, while the resident voter can only vote in one district. That is a very important point. It is not a paltry objection, but one affecting the whole principle of the Bill. The honorable member for Wellington Country District at once said it was right that property should be represented. That is exactly where I differ from him. In dealing with the representation, we have no right to consider anything but human beings. Property is represented in another place, and property will always have a great deal of influence in securing representation in this House. To give property any legal and additional privileges beyond that would be wrong, and would certainly be impolitic, because it would raise against property a feeling which does not at present exist. Another important point on which I do not think sufficient stress has been laid is that which affects the voting of our loyal Maori fellow-subjects. There is a sub-clause which says that "No alien, nor person attainted or convicted of any treason, felony, or infamous offence," shall have a vote. Is a Maori an alien? If not an alien, by what right can we say that he shall not have the privilege of any other British subject? We have four members sitting in this House who can help to make and unmake Ministries; and yet we are told that none of those four gentlemen shall have a vote in the election of any European member. What right has a Registration Officer, when anybody comes to be put on the roll, to ask that person questions about his parentage—as to who were his father and mother, and so on? It is sufficient that he is not an alien, and is a British subject. I maintain that the right to vote is the inherent right of every British subject, and that we have no right to deprive him of it. If we do so, we shall create in the Maori mind a rankling sense of injustice and wrong, which will produce great evil in the future. Let us consider how this great question has been treated in other countries, and especially how this question has been dealt with in a very great country—in the United States. There they have had the difficulty staring them in the face for the last twenty-five years. In the first place, they had hordes of Europeans pouring into their country—men not accustomed to self-government at home—who, when they landed in the United States, claimed the right of self-government there, and of interfering in all the affairs of the country. How were they treated? A party sprang up

Mr. Wakefield

who called themselves the patriotic party—the Know-nothings—and they said no man should have a voice in the legislation of the country unless he was either a born American or had lived some time in the country. But another party sprang up who said, “We will not have two nations here; we will have one nation. We know it will bring upon us great evil for the present; we know it will derange all our affairs for a short time; but we know, at the same time, that we have before us a choice of evils, and the infinitely lesser evil is to face that difficulty, and have only one people and one nation in this country.” They acted upon that principle; and what has been the result? We see at the present moment all national distinctions obliterated, and no ill-feeling existing. Irishman, German, or Bohemian—whatever he may be—is now merged into the great people who occupy the United States. The same policy is now being pursued with regard to the negro population of five or six millions. They are acting upon the principle that, if they do rightly, things will come right. We see now that great distinctions which seemed to be ineradicable have disappeared: they have become already merged into one people and one nation. It is a momentous question we have to answer,—whether we are willing to face the temporary and comparatively-trifling difficulties which are sure to result from giving the Maoris their full rights as British subjects; or whether we shall act upon a policy of expediency, creating in the minds of the Maoris hostile feelings, and practically creating in New Zealand two peoples and two nations instead of one. For my part, I have no doubt as to how I shall vote: as I voted last year, I shall vote again. We have no right to draw distinctions between different sections of Her Majesty’s subjects. If we claim certain rights, they have a right to claim them. The real dual representation is in the special representation which we, from principles of policy and expediency, have granted to them under “The Maori Representation Act, 1867.” I hope the time will come when we shall be able to do away with the special representation they now have. That is the dual representation I should like to see abolished; but not now: I do not think the time has yet come to abolish it. As a question of policy, it is right that it should last some time longer. The time to abolish it will be when we have accustomed the Natives to act with us in elections, when we have taught them that they have full rights with ourselves, and that they no longer need the special representation we have given to them. What fell from the Premier was scarcely consistent, when he spoke of the clause giving a vote to holders of property of £25 value as being a moderate recognition of the rights of property. I hold that we have no business to recognize, either moderately or immoderately, the rights of property in this case. The influence and power of property will always be great without any legal recognition on the part of this House, and property-holders may be very well content with that. Then the honorable gentleman says it is unnecessary for the miners to be specially considered, because they are provided for under the

residential clause. But that applies also to holders of property; they are provided for under the residential clause. I hope we shall see this Bill reduced to one-third of its present length. I hope that exceptional legislation dealing with this, the very foundation of our Constitution, will be avoided, and that, losing sight of small considerations—losing sight of all difficulties which will be merely passing in their character—we shall keep in view the grand principle that the object of this Bill is to form into one compact body the whole mass of Her Majesty’s subjects now occupying this colony.

Mr. STEWART.—I regard the present Electoral Bill as one of very great importance; and that importance entitles every member of this House to speak plainly, and even critically, regarding the Bill. I apprehend the honorable member for the Thames has not exceeded those limits of fair criticism, which are open to every member of this House. The personal abuse and vulgar attacks made on the honorable gentleman by the honorable member for Geraldine—

Mr. SPEAKER.—I do not think the honorable gentleman is in order in using the word “vulgar.”

Mr. STEWART.—I will say the improper attacks indulged in by the honorable member were as unbecoming as ungentelemanly.

Mr. WAKEFIELD.—I object to the honorable gentleman being allowed to use his own style of language in this House.

Mr. SPEAKER.—I cannot allow the honorable member for Dunedin City to make such remarks.

Mr. STEWART.—Very well, Sir; but it is difficult to use any language, short of that, which would convey the utter detestation which every member of this House must feel for any member who gets up and presumes to dictate to other members as to what they shall do or shall not do. Such conduct is most unbecoming.

Mr. WAKEFIELD.—I rise to a point of order. The honorable member has used the words “ungentelemanly,” “detestation,” and so forth. I ask you, Sir, whether I have in any way transgressed the rules of Parliament, or laid myself open to such an attack.

Mr. HISLOP.—Speaking to the point of order, I ask whether the language used by one honorable member to another honorable member should not be regulated by the conduct of that honorable member. The honorable member for Geraldine said that he “despised” the honorable member for the Thames.

Mr. SPEAKER.—I have already called the honorable member to order for using the term “ungentelemanly.” I do not feel called upon to object to the word “unbecoming.” I think honorable members should be a little more careful as to the expressions they use towards each other.

Mr. STEWART.—I bow to your ruling, Sir. I think the desire of honorable members is that the debates should be carried on with some fair degree of independence, and that they should not be open to insult or abuse because they simply desire to express their minds fairly, openly, and candidly. With regard to this Bill, I confess

that, although at first sight it appears a very simple and fair measure, yet, when critically examined, it presents a series of puzzles. I can scarcely understand how this Bill came to be printed in its present shape. Its terms are very obscure, and calculated to lead to very great difficulties in carrying it out. I apprehend the broad question to be settled by the voice of this House is, whether manhood suffrage is to prevail or not. If that is to be the voice of this House, then the Bill should assume a different form. If that is not to be the voice of the House, then further provision should be made, not only in regard to freehold qualification, but also in regard to household qualification. A large portion of the property in this country is held under leasehold for a term of sixty years, and to confine the qualification to vote to freehold would not be giving that extended privilege which this Assembly, I believe, contemplated, and which the country expects. I see no reason why the household qualification should be abolished. In order to entitle a person to be registered under this provision of the Bill he must reside one year in the colony. A person may take a house for six months or nine months, fully intending to settle in the country; and it would be unfair, if an election were coming on, that that person should be disfranchised for three or four years, as would be the case under this Bill. Unless we keep to manhood suffrage, we should have regard to leasehold qualification and household qualification, so that they might be qualifications under the provisions of this Bill. It is difficult to see why £25 has been fixed as the limit. The object to be gained in fixing some limit is this: that a person should have some recognized status in the colony; and, so long as he has property to give him a status in the colony, he should be entitled to be on the roll. I merely draw attention to these features of the Bill with the object that the House should decide broadly whether this residential qualification is to be the sole qualification, or whether the other qualification I have indicated shall be included. I agree with the honorable member for Parnell that it would be desirable to place the Native race on a footing of perfect equality. I think the time for special and exceptional legislation in regard to the Native race has gone, and we ought to place them on a footing of perfect equality so far as the electoral laws of the colony are concerned. The Bill requires considerable attention and a very great deal of consideration in the matters I have indicated. I think the remarks of the honorable member for the Thames regarding the construction of the Bill and the phraseology of it were well founded. I am quite sure honorable members will see that in some respects the greatest uncertainty and obscurity prevail in the Bill, and that it will require to be considerably altered in order to make it clear and intelligible.

Mr. MONTGOMERY.—I wish to say a few words upon this Bill. I do not approach it in any party spirit, although I have the honor to belong to the Liberal party, and shall not depart from what I have hitherto advocated. I think the Bill is a much simpler measure than the

Mr. Stewart

present electoral law. No doubt the phraseology can be improved, and no doubt there are parts in the Bill that require to be altered; but I admit that on the whole, it is a simpler Bill, and may be made a very good measure. With regard to the freehold qualification and also the residential qualification, I have no objection to a person having a right to vote somewhat sooner as a freeholder than he would have as a resident; but I have an objection to any man having more than one vote. I should have no objection to the 1st subsection of the section relating to the freehold qualification, if it were clearly provided in the Regulation of Elections Act that a man should not have a residential vote and also a number of votes as a freeholder. The honorable member for Grey and Bell has quoted from the Regulation of Elections Act to show that it provides there can be only one vote. I think my honorable friend is in error there. I apprehend that the subsection quoted would only apply to a general election. It would not apply to an election that might take place during the existence of a Parliament after the first general election. Therefore it would require to be altered so as to carry out the general wish that there should be only one vote given to any man in New Zealand. If I could be quite sure that this would be carried out in the Regulation of Elections Act—that no person should have more than one vote throughout the colony—I should be quite satisfied with the 1st subsection of section 2 of this Bill; otherwise I shall consider whether I shall not vote for the excision of this subsection altogether. Now, with respect to the Maori vote, I consider that the loyal Maoris should be placed exactly on the same footing as Europeans. When I speak of them having the same privileges, I mean they should also undertake the responsibilities. Until they are prepared to undertake these liabilities in a peaceable and orderly manner, as the Queen's subjects, I should object to their having the electoral privileges without the responsibilities. Therefore I am more inclined to give special representation to them for the present in the same manner as they have it now, and not in the manner provided for by the Maori Representation Bill. I consider that Bill an exceedingly bad Bill. It would give eight Maori members to this House. The honorable member for Parnell spoke very strongly in favour of the Maoris having equal privileges with the Europeans. I entirely agree with that, but it makes a great difference as to the manner in which they should be represented in this House, if they do not take the responsibilities equally with the Europeans. I will now refer to what may be considered a Committee objection: but sometimes Committee objections are of great importance. Subsection (5) of section 2 alters the existing law, and would, in point of fact, exclude some men from having votes who are now electors, and who could not be electors under this subsection. I shall endeavour to remedy that in Committee. I wish to hear from the Ministry whether they are prepared to give effect to the decided wish of, I think, the majority of this House, certainly the majority of the people of the colony, that there should be only one vote, and that the owner of

property should not be able to vote in eight or nine districts as is now the case. I am aware—in fact, we are all aware—that at the present time people who have votes in various districts are in the habit of travelling great distances for the purpose of recording their votes; and it is quite right that they should do so, if the law sanctions it. But whether that law should any longer continue, is a question which I hope the House will consider. I hope the House will decide that no man shall vote otherwise than because he is a citizen, not because he holds a number of small properties all over the country. If a man is to vote for property, then he ought to vote according to the value of that property. If a man happens to hold eight or nine quarter-acres in various electoral districts, not worth, in the aggregate, £500, that is no reason why that man shall have eight or nine votes; whilst, at the same time, farmers—and I know many of them—whose farms are each worth £5,000, have each only one vote. The speculator in small sections, as the law now stands, may have nine or ten, and some of them as many as fifteen, votes. Therefore it is not property that is voting, but the speculator, who injuriously affects the return of members to the House. With these few words I shall support the second reading of the Bill, hoping the Ministry will give distinct utterance as to whether they approve, or whether they are prepared in the Regulation of Elections Act to provide, that no person shall have more than one vote for the return of members of the House of Representatives.

Mr. HISLOP.—Sir, I had not intended to speak, except for the misrepresentations which the honorable member for Geraldine made with regard to the action of members on this side of the House during the session of 1878. The honorable member for Geraldine commenced by stating that the objections raised by the late Premier to the proposal made on this subject in 1878 were paltry in the extreme. If, Sir, there is anything paltry, it is misrepresentation of any person who happens to be on an opposite side of the House. The honorable member for Geraldine stated that the late Premier, Sir George Grey, during the session of 1878, when a motion was made restricting the power of voting to one vote, voted against it; and that he (Mr. Wakefield) voted in a contrary direction.

Mr. SUTTON.—Hear, hear.

Mr. HISLOP.—The honorable member for Napier says "Hear, hear." Does he mean by that to say that the honorable member for Geraldine is right in what he says? On Mr. Montgomery's motion—"Notwithstanding anything in this Act contained, no person shall be entitled to vote for the election of a member or members of the House of Representatives in more than one electoral district; and every person entitled to vote at any such election shall, in the manner herein provided, state in what district he desires to vote"—the name of the honorable member for Geraldine is not mentioned in either the "Ayes" or "Noes," while, on the other hand, Sir George Grey's name appears among the "Ayes."

Mr. SUTTON.—What page?

Mr. HISLOP.—Page 279. Afterwards "Mr. Saunders moved the insertion of a new clause providing that no person shall be entitled to have his name placed on the roll for more than three districts in the colony." The honorable member for Geraldine voted with the ex-Premier for that clause. He evidently saw his way to voting for a clause allowing a person to have three votes, but he did not see his way to restricting the voter to one district. This, Sir, is a fair sample of the misrepresentation which is placed before this country and this House for the purpose of injuring the late Premier, and attempting to show that he has not consistently and persistently endeavoured to have measures of electoral reform placed before the country. Those who have been for some time in this House know that these misrepresentations are perfectly unfounded, and know how to treat them; but, unfortunately, there are always new members, who are sometimes deceived when they have not become sufficiently acquainted with those persons who are in the habit of making these misrepresentations, or with those against whom these misrepresentations are directed. As to the Bill now under consideration, I think honorable members on this side of the House have a right to view the Bill in this way: The honorable members on those benches have continually stated to us that the reason they were entitled—against all constitutional principles—to stick to their seats was to show to the House and the country that they could place before the House Bills better drawn, and better adapted to the circumstances of the country, than those which were brought down by the previous Ministry. The honorable member for Geraldine has stated that this is a nicely-drawn Bill, and one which anybody can understand. I should like the honorable member to read the 2nd clause, and tell me what is the meaning of some of the subsections. I should like to know the meaning of the 3rd subsection in connection with any other part of the Bill. A Bill which pretends to be well drawn should not contain subsections (4) and (5) in the way they are set out in this Bill. If this is a Bill to show how much better those honorable members opposite are going to deal with electoral reform, I think the attempt has sadly failed. I think we have stated before that we are all pretty well agreed as to what the Bill ought to be; but with regard to qualification there are two ways of carrying that out. I recognize that the principle is simply this with regard to elections: that every person who shows any evidence whatever that he intends to be a resident in the colony should have the right to vote. And I recognize that what the honorable member for Akaroa said is perfectly right: that a person who invests his money in the purchase of property is entitled to have his name on the roll immediately on the purchase of the property. I quite agree with the other part of the Bill, that any person who has resided in the colony for a year and in a particular district for six months should have a right to vote. I shall support the second reading, but I hope the Premier will see his way to have some alterations made in the subsections, with a view to avoiding ambiguities.

Captain RUSSELL.—Sir, before I say anything about the Bill itself, I would remark that the honorable member for Waitaki has said that Ministers stated they kept their seats by unconstitutional means. Now, so far as I am aware, Ministers took the opposite ground, and urged it was only on strict constitutional principles that they held their seats as they did. That is by the way. The two legal gentlemen who have addressed the House—the honorable member for Dunedin City (Mr. Stewart) and the honorable member for Waitaki (Mr. Hislop)—have criticised the drafting of the Bill. They may be right or they may be wrong; but I am perfectly correct in this: that the Bill would be far more incomprehensible than it now is, if every amendment that is suggested were added. Amendments are often proposed, and those proposing their insertion frequently do so, without seeing whether they have any relation to the previous portion of the Bill. Therefore I think it is almost a waste of time to criticise the drafting of the Bill. But I have noticed that the legal mind, though it appears logical, is not so logical as it might be in this matter of electoral reform. Both the legal gentlemen to whom I refer say that the sole qualification ought to be manhood.

Mr. STEWART.—I do not say that; I say the House should decide that.

Captain RUSSELL.—I beg the honorable member's pardon. I will except him. Certainly the last speaker has said so. If the rights of property are not to be considered, and manhood is to be the only qualification, I would point out that a man is just as much a man the day he arrives in the colony as he is twelve months later on. I have not the slightest hesitation in saying that I believe a certain amount of property representation is a good thing. I do not think that property should be represented to the exclusion of manhood suffrage, but I believe almost every person is prepared to allow a certain property qualification, so long as manhood suffrage is granted in addition. That I am prepared to grant to the very fullest extent. As to not being a settler, that is quite beside the question. Ninety-nine out of every hundred persons who land here come with the object of remaining in the colony; but, had they not the intention of remaining, I believe that not one of the ninety-nine would take the trouble to go and vote. There are other qualifications which I will mention, which, however, come more within the scope of a Bill providing for a redistribution of seats than this Qualification of Electors Bill. I allude to the system in the Old Country of having universities represented. Here there is no university with a roll large enough to be represented; but, in the way of having another element in our representative Chamber, I should have been very happy to give the lawyers an opportunity of being represented: but, as there are so many of them in the House at the present time, perhaps further representation of that profession is not required. I should like, however, to see the educational bodies represented. The medical profession I should be very happy to see represented. No doubt in our deliberations we should

Mr. Hislop

materially benefit if we had a person specially sent here to represent the medical profession, as he could give us the benefit of his advice on sanitary matters generally. But, coming to that portion of the Bill regarding the Native race, I agree most fully with what has been said, that the Natives ought to have equal privileges with the Europeans, but at the same time they ought to have equal responsibilities. This is not the first time I have said this. When I have spoken on the subject I have always said the same thing. Until I see the new Bill proposing to give the Maoris special representation, I should be inclined to support the placing of the Natives on exactly the same footing as Europeans; but, in that case, I will vote against the special representation. I believe that special representation must be of the very greatest injury to the Natives themselves. I will not say a word to offend those Maori members; but, sitting as they all do in one corner, they are very much under the influence of their interpreter, and under the influence of the Native Minister of the day. I think that is bad for the House, and bad also for the Native race. If this special representation is to be extended, we shall have a phalanx in this House absolutely irresistible, and of a very dangerous character—injurious to this country and to the deliberations of the House. Now, if the Maoris were to be given equal privileges and subjected to equal responsibilities with the Europeans, we should have a number of honorable gentlemen appearing in our debates in different ways and with various methods of thought, which would be preferable to any further extension of the present system of Maori representation in this House. Whilst to a great extent representing the views of the Maori race, the members elected in the manner I suggest would be able to take a more general view of things, and the Maoris would be much better represented. I should be inclined to vote for placing the Natives on exactly the same footing as Europeans, as I believe that by this method the North Island will get a fairer share of representation than it can get under any other set of circumstances. I think, also, that the legislation which has passed during many years, exempting Natives from the payment of rates and various liabilities, will receive its death-blow when we put them on exactly the same footing as ourselves. I do not believe it will be tolerated that they should have exactly the same privileges but not the same responsibilities as Europeans. I believe, as a matter of fact, that the repeal of this special legislation for the Maoris will tend more to break down the exclusiveness of the Native people, and to bring about a fusion of the races, than we could accomplish by any other means. There is another feature in the Bill of which I cannot approve. The 5th subsection of clause 2 says that no alien shall be entitled to be registered. Now, I am in favour of treating an alien on exactly the same footing as an Englishman. I really do not know why a man who comes from France or Germany should not possess the same privileges as anybody else. When he comes here he ceases to be a German or a

Frenchman, and is a New Zealander; and surely he possesses the same feelings and desires as all the other people of the country. It is suggested to me that he should be naturalized. I would let it be understood that as soon as he puts his foot upon the shores of this colony he is naturalized, as he has all the responsibilities, and should have all the privileges, of the British immigrant. Another honorable gentleman asks me, "What about the Chinese?" Well, I would say that I would specially exempt the Chinese. I heard a good deal about them during my election, and I wish to guard myself against the suspicion of the slightest sympathy with Chinamen. I had to address many public meetings, where I was severely catechized about some injudicious remarks I once made in this House upon that subject. I do not put Chinese on a footing with Europeans; but, if every man is to be entitled to a vote in this country, I cannot see why we should set one European against another. When the proper time comes, I shall certainly object to the term "alien" being applied to any European. These are the only points I wish to remark upon, but I hope that Ministers themselves will see their way to accept some suggestion which would do away with special Maori representation.

Major TE WHEORO.—I should like to say something about subsection (4) of clause 2, which affects the Maori race. I do not see upon what grounds the Maori vote should be taken away. I do not think it should be done before a Bill is brought down to amend the special representation which the Maoris have at present. That Bill should be decided before we discuss this one. Then, as to the dual vote, I do not see what benefit the Maoris derive from that. One of the votes goes to the Europeans; and why should the Europeans grumble? I see several members of this House who were voted for by the Maoris, so that it is no special advantage to the Maoris. I say that the Maoris should continue to vote for the Europeans until you give them increased representation. I do not think we are yet on the same footing. I see something in another Bill to the effect that the Maori has to give some writing and consent before he is registered as an elector. Why should this be so? Why should you be so hard on the Maori, and take away his vote, considering the number of years he has been possessed of it? If you give the Maori increased representation, I should not object to your taking away his other vote. When the Bill goes into Committee, I shall ask that the Maori Representation Bill be brought on first for consideration. As to what the honorable member for Napier (Captain Russell) said about the Maori members being under the influence of the interpreters and the Native Minister, I wish to tell him that we are not. If it had been so, we should have been on the Government side long ago with the Native Minister. I was sent into this House to do certain things, and neither the Native Minister nor the interpreter will influence me one way or the other. I shall have more to say with regard to this Bill when it goes into Committee.

Mr. GISBORNE.—There might be found to

be some force in the observation of the Premier with regard to the number of persons on the electoral rolls of the colony if we had the information I asked for yesterday as to the number of those persons whose names appear more than once on the electoral rolls. I believe there is a much greater multiplicity of the same names on the electoral rolls of New Zealand than there is in the case of any of the Australian Colonies; and, although it might have been difficult to obtain the information, I still think the bands of clerks who are daily engaged poring over sheaves of telegrams and piles of papers, hunting up supposititious scandals, might be better engaged on this work. The honorable member's comparison as to the number of adults on the rolls of the respective colonies is useless without a statement showing the names of those persons who appear more than once on the rolls. As to duplicate voting, I was for a long time of opinion that property should be represented, and that a person should not only have a vote in the electoral district in which he resides, but that he should also have a vote in respect of property which he might hold in another electoral district. I may say that what I have seen in this country has much shaken that opinion. I see persons in the towns holding a little land for speculative purposes in another district, and when an election comes on they swoop down by special train on a particular district and swamp the votes of the residents in that district. If you reduce the qualification as you propose to do, you aggravate that abuse. Then, again, we come to another difficulty in understanding these Bills, from the fact that they are brought in in sectional pieces. The honorable member for the Wellington Country District says that this Bill gives property the right of voting; but he is evidently not aware that another Bill which is not yet before us provides that at a general election a person may be asked whether he has voted before at that general election, and of course if he has he cannot vote in the particular district in which he holds the property qualification. Therefore that maintenance of the property franchise is materially qualified. I am not prepared to say that that is not a reasonable solution of the question; but I would go a little further. While I would not confine the franchise altogether to manhood suffrage, I would say that, not only at general elections, but if an election occurs during the whole period of the Parliament, if a person has voted at a general election in virtue of his property or residence qualification he should not be allowed to vote again for the district in which an election took place unless it is the district in which he has resided and voted previously. Otherwise, you give him a double vote at other elections besides the general election. Supposing that before a dissolution of Parliament or the period of its expiration arrives another election occurs in a district in which he does not reside and has not voted, but in which he has a property qualification, then he should not have a vote in that district. I am not prepared altogether to say that property shall not have electoral rights; but I am prepared to go so far as to say that, if a man has voted once,

he shall not be allowed to vote again in another district in regard to his property qualification. I confess I do not quite understand the provisions with regard to the Native vote; for here, again, we are thrown into a difficulty by the way in which these Bills have been brought before us. By this Bill we are asked to disfranchise the Natives, and we are not told what we are to give them instead. I say, then, that before we allow this Bill to go into Committee we ought to know what the Government proposes to do in that respect. Do you mean to say that, if a Native has a Crown grant for his property, he shall not be able to qualify himself as an elector? Is that the effect of this Bill? If so, then I say it is most unfair and unjust. A Native may buy property from the Crown, and obtain a Crown grant for it just as a European does, and yet he is not to be allowed to qualify himself as an elector, although his tenure of that property is the same as a European's. Then we come to the question included in another Bill of special representation. What is that special representation? It is representation accorded solely to the Maori population. I say that special representation is an evil, and we ought, if possible, to mitigate it. Instead of that, you draw a hard-and-fast line between the two races by saying that the Natives shall not vote as Europeans, but shall have a special representation; and you provide no bridge across that valley which you make between them. Then, what does the honorable member for Napier say? He says, "Give them the same right as Europeans." Does he mean that, as residents in the country, they shall vote as Europeans do as residents? Why, if so, you would swamp many European electorates. We have heard a great deal of talk about swamping the European electorates because the Maoris were to be permitted to vote on their communal rights. We have heard it said that the greatest evils would arise if you gave them a right to vote on their communal title, although the land had passed through the Native Land Court. But what does the honorable member for Napier propose? He proposes to give them a vote in virtue of their residence. Under that plea the evils would be immensely aggravated, because every Native is a resident in the country. I think it is a mistake to say that you must either give them the same rights as Europeans or else give them special representation. I think there is another course—a third course—a middle course, which, we have been taught, is the safest. We recognize that the Natives, from circumstances to which I need not now allude, are not as yet qualified to exercise the franchise in the same manner as Europeans; and, in proof of that, I may refer to the arguments used by the present Colonial Treasurer last year. On the other hand, I contend that to say they should have nothing but special representation is to still more divide the two races, whom it should be our object to amalgamate in respect of electoral qualifications, so that gradually they shall approach each other and grow into one. I say, the way to bring that about would be to do as we proposed to do last session when we were in office—to say that, when a Native has an in-

dividual Crown grant solely to himself, and when he pays rates, he should be able to vote in virtue of that property. On the other hand, as there are many Natives not in that position, they should have, to the present limited extent, special representation; but both should be adjusted towards each other so that special representation should be from year to year less necessary, until gradually—and it would be in a short time, I believe—the Natives should not have any special representation, but should exercise their electoral powers in the same way as Europeans. I say the present proposals of the Government do not provide for that. They widen the breach between the two races instead of approximating them. I shall not oppose the second reading of this Bill, but I hope in Committee such alterations will be made in this and the other electoral measures proposed by the Government as will tend to attain the objects I have pointed out.

MR. READER WOOD.—I think the debate, so far as it has gone, has shown that the whole of this question is surrounded with difficulties that perhaps in the first instance did not make their appearance. I think it would have been conducive to clearness, and would have saved time, if, in introducing these measures of electoral reform, the subject had been approached in the first instance by a series of resolutions in a simple form, instead of laying before us all these Bills that hang and depend so much on each other; so that, as the honorable member for Akaroa says, he is utterly unable to vote for this Bill until he knows in what form another is to pass.

MR. MONTGOMERY.—No; until the Ministry have explained what they propose to do by those Bills.

MR. READER WOOD.—It is not what the Ministry would do: it is the way in which the House would pass the Bills. Knowing what the Ministry would do or propose to do would not help us much. What we want to know is, how these measures will come out when they have passed through the House. I am by no means certain that it would not be better even now to introduce resolutions affecting the whole series of these Bills. I myself once made an attempt to do something of this sort—in 1874; and, if the House will permit me, I will read the simple resolutions I proposed, and I will tell the House the way in which those resolutions were received. In 1874 a Bill called the Qualification of Electors Bill was introduced by the Hon. Mr. Reynolds; and on the second reading of that Bill I gave notice that I should move the following resolutions:—

"1. In the opinion of this House, it is advisable that the laws relating to elections, the conduct of elections, and the franchise, be consolidated.

"2. That the electoral franchise be extended to all male persons of twenty-one years of age who have resided six months in the colony. Special provisions to be made for Natives.

"3. That any member of the House of Representatives who shall be appointed by His Excellency the Governor a member of the Executive Council of the colony should at once vacate his seat, but be eligible for re-election.

Mr. Gisborne

"4. That provision be made for the more speedy issue of writs in cases of vacancies occurring in the House of Representatives during the recess.

"5. That the duration of Parliaments be limited to three years instead of five as at present, and that the same limit be made applicable to Provincial Councils."

Sir, you have here *in pello* almost the whole of the liberal measures that are now before the House and the country. And when I proposed these resolutions in 1874, what was the answer made to me? I was told that I was a Chartist, and these were the five points of the Charter; and what does the House suppose was done to prevent me bringing forward these resolutions and discussing them? The Qualification of Electors Bill was withdrawn. I gave notice that I should move the resolutions to traverse the second reading of the Bill, but it was withdrawn, and I could find no support in the House. But events in colonies march quickly, and I am glad now to see both sides of this House unanimous in their support of these measures. It is only on the question of details that there will be any difference. Now, in regard to those questions of detail, it does appear to me that there is very considerable difficulty. I will read to the House from the speech I then made:—

"The principle of this Bill is that every man who is called upon in this country to obey the laws, to pay taxes, and to perform with propriety the ordinary duties of life, has a right to a voice in the election of those who impose the taxes and make the laws."

There lies, as it appears to me, the simple principle which should guide us. We here are the representatives of the people, not the representatives of property in any shape or form. The people send us here with vast powers to make laws for them. They tell us we may put our hands in their pockets to a certain extent—or, rather, to any extent we like. We have a vast responsibility on us; and I say it is these people whom we tax, for whom we make laws, and whose liberties we to a certain extent restrict by those laws—it is these people who ought to elect us. Therefore I have no difficulty in saying, with regard to this 1st subsection of the 2nd clause, that I see no necessity whatever for it. The honorable member for Totara had a similar objection to it, but if I understood him rightly he said the objection might possibly be got over by the section of the Regulation of Elections Act to which the honorable member for Grey and Bell referred, and under which the Returning Officer might ask the elector, "Have you voted before in this election or not?" But that does not apply to occasions when the question is not put; and very probably it would not be put often. It is not compulsory on the Returning Officer to put the question, and he would only put it when he was asked to do so. There is no doubt that many occasions would arise when electors would exercise duplicate and triplicate votes. With regard to the £25 freehold qualification, I quite agree with the remark made that it is simply a scheme for creating faggot votes. Anybody could buy a vote in perpetuity by purchasing

a few acres in a district; and who could say whether that land was worth £25 or not? The property qualification at present is a freehold estate of £50 value; and I do not know of a single case where the value of the property on which a person claimed to vote has been questioned. If he holds a bit of land anywhere, only, we will say, as big as this room, in an out-district, and sends in a claim to vote upon it, that claim is almost invariably recognized. In the district from which I come I do not know of a single instance in which the valuation has been questioned. Therefore I think the House may very reasonably strike out this subsection, and accept solely the principle that a man has a right to vote simply because he is a man, because he is compelled to obey the laws, and because he is compelled to pay taxes. Coming to subsection (2), I do not know what to say, I am sure; but it appears to me that it is ambiguous in every line and almost in every word. The subsection says, "Every man who has resided for one year in the colony." What is the meaning of the word "residence"? I do not know whether any of the lawyers here will be able to tell me its meaning. I believe, on many occasions that word has been the cause of a vast variety of lawsuits, and whether it is definitely settled or not I do not happen to know. There is no interpretation clause here. There will be no end of difficulty unless a word of greater precision is used. I expect every one of us attending Parliament might be disqualified if we tried to get our names on the roll on the ground of having lived six months in the electoral district in which we claim to vote. Suppose a man is away on business for three months in the year, will that invalidate his qualification to vote? It ought not to do so. In my opinion the period of one year is too long. I would limit it to six months, and make the residence apply, not to a particular district, but to the whole colony; and then let a man be put on the roll of any district in the colony that he chooses. That, I think, will simplify the thing, and take away the difficulty I have just mentioned. Now we come to the difficulty with reference to the Native vote. There is no doubt that is a very great difficulty. If you strike out subsection (4), every Native under subsection (2) will have a right to a vote, and that will, to a large extent, swamp the European population and electorate. If, on the other hand, you do not strike this out, it appears to me you are depriving the Natives of a right to which they are just as much entitled as we are ourselves. If a Native, for instance, purchases a piece of land anywhere now, under a Crown grant, he has a right to vote, he is a qualified elector; and many of the rolls are full of such voters. In the Electoral District of Waitemata, for instance, there are thirty or forty qualified Native electors on the roll. I ask, why should they be prevented from having a vote for a European candidate for this Parliament if they have precisely the same qualification as any European in the district? There is no doubt that those things require great consideration. I do not know in regard to this Native matter the best course to pursue. It seems full of difficulty. I should like

to hear a great deal more about it from persons qualified to speak, before I make up my mind. But with regard to subsection (1), doing away with the property qualification, I have certainly made up my mind to do away with it altogether. With regard to subsection (2), it seems to me that a year is too long; in the second place, the language requires to be simplified, so that every one may understand distinctly what "residence" means. I do not apprehend that in the minds of the Government, or of members of the House, it can mean absolute uninterrupted residence—that a man should take oath that he slept in his own house every night for six months. It could not mean that; and, if it does not mean that, I do not know what it means. Some simpler language should be used.

Mr. TAWHAI.—I wish to say something with regard to this Bill, in which it says that the Maori vote shall be taken away. I seek for the reason why the Maori should not be entitled to a vote of this kind. With regard to the electoral roll, it is a privilege afforded us by our Queen. Those rights were vested in us by the Treaty of Waitangi in 1840. At the present time European loyal subjects wish to deprive us, who are also loyal subjects, of those rights and privileges conferred upon us by the Queen. In that treaty it said that both races in this Island should be under the one rule—under the English rule—and that the Maoris were to be looked upon as loyal subjects. Now, when I see that an attempt is being made to deprive us of those rights and privileges, to have our names expunged from the electoral rolls, I begin to consider you wish to bring about a division between the two races by taking away from us those privileges to which we are entitled. My own desire is, that this should not be; that we should be allowed to have this vote; and that we may be always called loyal subjects of the Queen. I think within myself, and I ask myself the reason why this attempt is being made to deprive us of it. Perhaps we, the Maoris, have seriously injured somebody through having that vote. I do not know what the cause can be. We, the people who inhabit the north part of this Island, are all loyal subjects and true, and, as such, I find we are going to be debarred from exercising our rights. From what I can gather from the several expressions that have fallen from members in this House, my idea is this: that people coming from other parts, and only remaining in this colony for one year, become entitled at once to a vote; but, on the other hand, we who are the owners of New Zealand, to whom the country belongs, are not to have our names on the roll. With regard to the rates, a great deal has been said about Maoris not paying rates. What rates? I know perfectly well that there are several Maoris who pay County Council rates. Can you expect that a people like the Maori race, who do not possess the amount of knowledge you people do, who were not full of knowledge during the time of their ancestors, who have just had an opportunity of gaining that knowledge, should be subject to the same liabilities as the Europeans? I have come

Mr. Reader Wood

to the conclusion in my mind, after thinking over it, that the object you people have in taking away this vote from the Maori people is to make us like a dog that walks along the street—without land, homeless, and without anything. I can inform this House that several European members from the Northern electoral districts have been returned to this House through the Maori vote. Perhaps some of those members are now turning round against us, and are now trying to deprive us of this dual vote. But do you tell us, in what way have we injured you through this vote, that you now wish to take it from us? If, through our possessing this vote, Europeans have lost their lives or their lands, then you would have some reason for taking it from us. For the last five years, to my own knowledge, this attempt has been made to take it from the Maori. I can understand that the object of it is to sever the two races. If you are able, or if you manage to deny them this vote, and take it away from them, you might as well abolish all laws that you have made affecting the Maoris. Why I speak in this strain is because I am very sad on account of this vote being taken away from us—a thing which we have been desiring for some time, and which we desire still. If you are strong in keeping away from us the right of voting, I simply say this: that some great trouble will arise in the northern part of this Island. If you take away this right from us as loyal subjects, I will say now that the roads in that part of the country will be stopped. This trouble will not arise if this vote is left to the Maori, but I believe it will arise if it is taken from us. I think it is very fair and just to allow the Maoris to retain this vote, and to have no alteration such as is proposed. That is all I have to say.

Mr. TOMOANA.—Sir, I have not many words to say. My first word is this: that this will not finally decide the Bill, as far as the Premier is concerned. He knows perfectly well what he is doing in introducing this Bill to the House, and I believe in my own mind that he will consent to this Bill being withdrawn. I should like to see the Maori Representation Bill dealt with before this Bill. Then, I think, we can arrange with regard to this one, and make any alterations that may be necessary.

Mr. BEETHAM.—Sir, in speaking to the second reading of this Bill, I shall address myself more particularly to the remarks made by the Native members. The honorable member for the Northern Maori District (Mr. Tawhai) may possibly not have made himself acquainted with the proceedings of this House during the session of 1878. At the commencement of that session, the Maori members of this House met together; they had a caucus of their own, and they arranged amongst themselves that there should be one vote for the Natives and one vote for the Europeans. I will quote shortly what the late honorable member for the Southern Maori District (Mr. Taiaroa) said on this subject. He said,—

"The Maoris have met, and they have come to the conclusion that it would be better that

there should be one vote, with this exception: that Maoris who have purchased land from the Government and are ratepayers should be allowed to have a vote; but that the Maori members should be increased."

The honorable member for the Western Maori District (Mr. Hoani Nahe), who was a member of the Executive Council, took to a certain extent the same view. He said that, although he saw no objection to their retaining the dual vote, he would waive that point if increased representation were given to them. The honorable member for the Northern Maori District (Mr. Tawiti) spoke as follows:—

"Our views have been in the direction of the requests referred to us by our people, that there should be one vote given to the Maori and one to the European; because we are not two separate people: we are children, elder brothers and younger brothers, fathers and sons. We have agreed that the Maoris should have their votes and the Europeans their votes."

That referred to a petition sent to this House in 1878, bearing on this question that there should be one vote for the Maoris and one vote for the Europeans. This was certainly at that time the view of the Maori people, and the view of the Maori representatives in this House. I am aware that it may be urged that later in the session some of the Native members were induced to change their minds; but at the time I speak of that was the view of the Native people. I believe that at the present time, if the whole question were fairly put before the Natives of New Zealand generally, they would choose increased representation for their race—an increase proportionate to the representation of the Europeans in this House—rather than continue this dual Maori vote. As far as my own district is concerned, I can speak positively on this point. I put the question clearly to the Natives on every occasion that I met them. I told them that I should vote against the Maori dual vote in this House, but that I should vote for increased Maori representation—representation proportionate to that of the Europeans. I will now allude to a clause in the Maori Representation Bill which provides for the proportion of Maori representation. I regret that this Bill is not translated and in the hands of the Maori members; but the Premier informs me that it will be in their hands to-night. If it had been in their hands, I think many of the remarks made by the Maori members, and which I regretted to hear, would never have been made. I am sure some of the remarks made by Mr. Tawhai would not have been uttered. Clause 5 of the Maori Representation Bill provides that—

"The number of Maori members to be elected for the whole colony shall bear to the entire number of the members of the House of Representatives (exclusive of the Maori members thereof) the same proportion as the number of registered Maori electors shall bear to the entire number of registered electors on the rolls of the several electoral districts of the colony constituted for the election of members of the European race."

It seems to me that it is the intention of the

Government in this case to deal fairly and justly with the Native race. I think I can show the honorable member for the Northern Maori District—who I regret is not in his place at present—that one great reason why a number of the European inhabitants of New Zealand complain of the present dual Native vote is this: that the registration of those claims to vote has been conducted on a principle which I can only characterize as being unjust and unfair—I will not use stronger terms. In support of this view of the case I shall be justified in reading a portion of the report of the Royal Commission that sat a short time ago at the Bay of Islands, the Commissioner being the present Native Minister:—

"I have already pointed out that Mr. Landon's apparent object in getting up the Maori claims was to render the electoral roll more favourable to himself. With that object in view, it is clear from his own evidence that the questions of whether the claimants were qualified, or whether they signed the claims, or whether the claims were duly attested, were matters of complete indifference to him so long as the supreme object was gained. Mr. Landon has himself permitted a Native in his presence to sign the names of twenty absent persons to electoral claims, and has caused the forms so prepared to be taken away to a distance to be signed by another person as attesting witness. Very many of the claims preferred were certainly never signed by the persons purporting to have signed them, and false attestation has been the rule, not the exception. Raniera Warerau's name appears as the attesting witness on 203 of the claims made in 1878, and he admitted in evidence that he had not seen more than ten of the claimants sign their names."

This is a state of things I think this House should not sit tamely under. I do not refer specially to the honorable member for the Bay of Islands, but I say it is not advisable, so long as the Native mind is uncultivated as at present, to give the dual vote to the Maoris. Give them a fair proportionate representation, and no more. On my alluding to the honorable member for the Bay of Islands in the quotation just read he said, "Hear, hear." He acknowledged the truth of the statement. When he was speaking two nights ago I had in my hand a paper purporting to be an account of a speech delivered by that honorable member. I am not prepared to say whether it was a correct report of his speech or not, but my recollection of the report is that the honorable member said this: "I stood by to see these claims made; and I would stand by to see the same thing again, or to see a man cut his throat either." That is a quotation from a speech made by the honorable member for the Bay of Islands. He may prove to be a very good member indeed, but I only know this: that in his speech a little further on he said he was a man to come down here and carry out a swindle for the Auckland people. That is the class of person we may expect to have brought into this House if we allow the Maoris to have the dual vote. I shall on every occasion oppose it. At the same time I shall insist that the Natives shall have their full proportion of representation, and I am convinced, whatever

may be the views of the members of the Native race at present in this House, that they will see eventually that to be the best solution of the difficulty—that they should have their full proportion of representation. I should not oppose the Natives having a right to vote for Europeans if they took their full responsibilities—if they paid their rates, as Europeans do, to the various local bodies. I should not then object to their having the right to vote for the election of European members of this House. I was glad to see that my present view is supported by what was stated by the honorable member for Akaroa in 1878. He then took exactly the same view as myself; and, if he is consistent now, he will support the system of representation which I say I should be prepared to vote for. The honorable member for Akaroa stated very distinctly in 1878 that the Maoris should have a full proportion of representation—that he did not believe in the dual vote, but that he thought, in cases where they paid their rates, and took their responsibilities as Europeans, they should be allowed to vote for European members; and I think most honorable members will support him in that. I shall support the second reading of this Bill.

Mr. TURNBULL.—I shall take up a very few moments, as I see the time is getting near for the dinner adjournment. Before making any remarks about the Bill now under consideration, I should like to express the regret which is pretty generally felt that upon every question the honorable member for Geraldine should make a point of saying something against the honorable member for the Thames (Sir G. Grey). It is getting very monotonous. As in last session, so in this: there is not an occasion allowed to pass without an attempt being made by the honorable member for Geraldine to hold the late Premier up to ridicule, and he is invariably followed by the honorable member for Waitaki, thus keeping up a sort of triangular duel, which is becoming very monotonous indeed. If the honorable member for Geraldine forgets the respect that is due to a veteran statesman like the honorable member for the Thames, I think he will see that it is time the business of the country should be allowed to be carried on. In reference to the Bill itself, I shall certainly move in Committee that subsection (1), clause 2, be struck out. I think no greater mistake can be made than is there proposed. Honorable members state that if a man comes here and abides by the law and pays his taxes he is thereby qualified to vote; but there is another most important element which they appear to overlook, and that is, that this man becomes joint proprietor of the estate which remains in the hands of the Crown. It remains in his hands by his vote to decide as to the manner in which this large estate shall be disposed of. This is a very large and important question. I shall move for the striking of it out, as it is calculated to raise up a number of small voters riding over the country and swamping an electorate. I hold that it is the man that votes, and not the property; and for those reasons I think the Bill will be improved by striking out that particular clause. As to the residential clause, I

Mr. Beetham

think it would be a great mistake to give a man a vote the moment he arrives in the colony. This Bill is quite sufficient: it requires one year's residence in the colony and six months' residence in a particular district before he can vote. As far as the question of the Natives is concerned, I hope they may rest assured of one thing: that honorable members of this House will see that no injustice is done in any shape or form. They may depend that honorable members will take care that all their interests, and more than their interests, shall be protected. I supported the view last session, and shall again, that, under the peculiar circumstances of the case, they have a right to this vote—not only to that peculiar representation of themselves, but also that they should have a vote where they are taxpayers; or, rather, that where a Native holds a Crown grant he is entitled to the privilege of the franchise. It is not my intention to take up much more of the time of the House. I hope this Bill will soon get into Committee, and that it will be made a good and useful Bill. As to the objections made by the honorable member for Waitemata, they are only such as would occur to a man of such profound depth of thought as himself. The honorable member for Napier (Captain Russell) was drawing a red-herring across the scent when he talked about members being returned for universities. He could not have meant that any university here, consisting of a few members, should be entitled to a seat in this House. In this matter there can be no comparison between Home and this country. At Home a great many people would not be represented in any other way; but here it is a different thing: here every man resident in the country will certainly have the right of voting. The honorable member for Waitemata objects to the Bills being brought down piecemeal; but I think that objection will hardly hold water. We have the Bills before us, and every honorable member can form his opinions better on the subjects than if the whole of them were merged in one general Act. I shall support the second reading of this Bill, and I hope that no time will be lost in the matter, but that this question will be at once brought to an issue, and the Bill placed on the Statute Book.

Mr. TOLE.—I rise to support the second reading, for this reason: that a Bill of this character contains more or less a principle which all Liberal members of the House have supported at one time or another. It contains the principle of residential qualification or manhood suffrage. For that reason we must support it; but I entirely deprecate the practice of bringing down fragmentary legislation. It is a very ingenious design—the object being to slip through certain Bills, irrespective of other large principles with which the provisions of this Bill are closely connected. Some few years ago, I remember Mr. Stafford saying it was impossible to give proper consideration to the Bill then before the House—the Public Works Bill—because it referred to other Bills intended to be passed. This Bill says that people shall be registered in accordance with a Bill intended to be passed. It is impossible to say whether that Bill will be passed

or not; and therefore it would have been much better to bring down a Bill containing the principles of registration, qualification of electors, &c., so that the whole measure could be considered as a whole, and not piecemeal. It is unfair to the House to ask it to consider the qualification of electors apart from other matters necessarily connected with it. The honorable member for the Thames referred very properly to the inartistic way in which the Bill is drawn. It is true that the Attorney-General was called to Wellington very hastily to take a seat in the Ministry, and that therefore he had very hurriedly to gather these Bills together, readjust the various clauses, and split them up into suitable pieces. I think it an improper way of bringing legislation before the House. For instance, speaking of the drafting, clause 3 says, "Every man registered as an elector, but no other person, is qualified to be elected a member for any electoral district within the colony." I do not know of any Interpretation Act which defines what a "member" is to be. The word "member" does not necessarily imply a member of this House.

Mr. HALL.—There are the words, "for any electoral district within the colony."

Mr. TOLE.—This is an instance of the loose way in which the Bill is drawn. With regard to the question of Maori representation, all I have to say is this: I believe that logically the dual vote cannot fairly be maintained; but I think, as a question of expediency, that the Native race, more especially at a critical time like the present, should be allowed to exercise the dual vote, particularly if they pay rates. I agree that the privilege should carry with it the responsibility of paying rates. I understand from a Maori member who spoke a little while ago that some of the Maoris do pay rates, and therefore they are entitled to a great deal of credit for adhering to what they suppose is the law. In 1876 the Attorney-General was asked whether the Maoris were bound to pay rates, and his opinion was that, even though Crown grants issued, there did not seem to be under the Rating Act any compulsion on their part to pay rates. If this statement be doubted, there is the recorded opinion of the Attorney-General in 1876 that they are not compelled to pay rates. As to the freehold property qualification, I think we should be betraying our professions of real Liberalism if we did not expunge this clause; and, however popular its retention may be in some districts, I shall vote for its excision. It may be said that by expunging a clause of this kind you make your footman as good as yourself. That is true, and I see no reason why he should not be in the matter of representation. He has to pay taxes as well as the property-holder, and he should therefore have as great a voice in the framing of the laws. Moreover, he is more likely than the property-holder to be called upon to defend his country against a foreign invader; and, if the militia were called out to quell a Native or other rebellion, in all probability the footman would have to go before the property-holder: so that I do not see why the freeholder and the person who is not such should not be placed on the same foot-

ing in the choice of a representative. Reverting again to the Maori franchise, I think it would be wholly inexpedient and disastrous to exclude the provision which at present enables the Maoris to vote for European members. We have four Native members in this House who have one after the other told us that it is their wish, and it is in accordance with law, that they should be permitted to vote at elections with other subjects of Her Majesty. I think the views the honorable gentlemen express on behalf of the Native race should be respected. If they are not respected it seems to me that their presence in this House will be of very little effect. Then, again, I am not prepared to say that the proposal to exclude the Maori from the exercise of the European vote is constitutionally justifiable. I have not read the Constitution Act lately, but it appears to me that the same provision which existed in the Provincial Council in reference to Natives should exist with regard to the General Assembly: that is to say, no disability should be placed upon the aborigines which does not exist in the case of Europeans. In all probability, if we pass such a Bill as this, it will be disallowed. Speaking in regard to the Assembly, the Constitution Act says we shall not pass any law which is repugnant to the English law. Now, the essence of English law is that all subjects of Her Majesty shall be placed on the same footing as regards their constitutional rights, and by passing this Bill we should be passing a Bill which is repugnant to the law of England. I think that, if we were to do this, in the face of the expressed opinions of the Maori members, and in the face of the Constitution Act which both races have had for a quarter of a century, we should be doing a wrong thing, and which would not be upheld by the Imperial Parliament. Under these circumstances, I sincerely hope honorable members will weigh the matter carefully, and be cautious before determining to exclude the Native race from the franchise which is given to them by the Constitution Act.

Mr. SAUNDERS.—I do not know what induced the legal gentleman who prepared these measures to divide them into four. I think it would have been much better if we had had the whole electoral law placed before us in one Bill. Were there no other advantage, it would have been some satisfaction to have disposed of the general question in one discussion, instead of giving members the opportunity of making four speeches, which, I imagine, will be rather wearying to the Government. It has never been my good fortune to like any Electoral Bill that has been brought down to this House. Although I proposed so many amendments to the Bill of 1878, there has been no Bill introduced to this House that I liked better than that. The great objection I had to it was, that it did not limit the number of votes that one person could exercise in the election of members of this House, but left it possible for one person to have as many as seventy votes. The next Bill that came under our notice was the Bill that was prepared by the Grey Government without Mr. Stout; and I think that Government, after Mr. Stout had left it, was a

Government to which Liberalism was such a new and unaccustomed profession that they were unable to make even a decent pretence of preparing liberal measures. I must say that few measures were so thoroughly illiberal as that with regard to the qualification of electors. It was not only that electors who claimed to vote without property were placed under enormous difficulties and inconveniences in the way of getting themselves placed on the roll, but there was also a permanent distinction made between those who voted with and those who voted without property; and I think any man who wishes to deal liberally with his fellow-electors should always avoid creating a distinction of that kind as much as possible. It is a distinction which all men dislike, and it is a distinction which a man who thoroughly understood the feelings of those persons whom we call the working-classes, and who would be called on to vote as persons without property, would know that above all things they would wish to avoid—very much upon the principle of the persons who tell us that, instead of forming temperance societies which should be joined by all persons alike, and which the strong should join for the sake of example to the weak, such societies should be composed exclusively of those persons who cannot be temperate unless they become teetotallers. If such a society were formed there would be very few members in it; and the fact that a personal distinction was kept up between those who voted with and those who voted without property was in itself an insuperable objection to that Bill. The honorable member for the Thames (Sir G. Grey), in speaking of this Bill, fell into the mistake which every one would fall into on looking at it alone. I must say that, looking at it alone, it does not appear to be a liberal measure; but looking at it in connection with another Bill—the Registration of Electors Bill—it is what John Bright called “a tumbling downstairs.” It appears to me to go almost to the extreme in the manner in which it prohibits all plurality of votes with regard to a general election. I have spoken frequently in this House in opposition to the large number of votes that can now be exercised by persons holding property, but I am very much inclined to think, as the honorable member for Dunedin City (Mr. Oliver) told us last night, that great reforms come slowly, and I am not at all sure that it would not have been desirable to have exercised some caution before going to the extreme length that this Bill goes. Considering that we have so much to do with property in this House, considering that our measures have such an immense effect upon the value of all property, and that we are and shall be constantly calling upon property to contribute very largely to the revenues of the colony, I am not at all prepared to say that the man who contributes nothing and the man who contributes largely should be placed upon an equal footing in this House. I have always advocated that the late enormous plurality should be given up; but, at the same time, I am not at all sure that it would not have been wise in a case of this kind to have tried a less precipitous descent than this,

Mr. Saunders

and left some little additional voting power in the hands of those who have the most responsibility. The honorable member for Timaru has told us that the honorable member for Geraldine has so frequently attacked the honorable member for the Thames that his attacks are becoming rather monotonous. I suppose we never think our own attacks are monotonous; but perhaps the honorable member will allow me to say that, since he has taken the regular charge of the honorable member for Geraldine, and frequently gives him such fatherly advice, if he would himself sometimes introduce a little expression of admiration at the eloquence of that honorable member, who charms us all, and of whom, as his next-door neighbour, he must naturally feel very proud, he would be introducing a charming variety into his own speeches. As the honorable gentleman might perhaps say to me, “Physician, heal thyself,” I intend to-night to express considerable admiration of what has been said in the House this afternoon by the honorable member for the Thames. I agree with a great deal that honorable gentleman said in regard to this Bill, and whatever may be the opinion of those who knew exactly what they intended by it, and therefore are not so dependent as the rest of us upon the words necessary to clearly convey their meaning, I think the object might have been expressed in more simple and intelligible language. And there is another thing I should like to say in defence of the honorable member for the Thames, although I think it has been said before this afternoon, and that is, that he did support, by his own vote, both the proposition brought down by the honorable member for Akaroa last year, that property-holders should only have one vote for members of this House, and also my proposition that no man should be allowed to exercise more than three votes. On both those occasions the honorable member for the Thames divided with those who went against the property qualification; and he also voted for the Triennial Parliaments Bill. But what I think we have a right to complain of is that, after the strong expression of opinion which he gave to the country on this subject, he did not choose to support it officially—he did not choose to use the position he held to get those measures passed; and consequently they were lost. Though, as I said before, he voted for the measures, still his colleagues voted against them: a part of his Ministry, his present colleague for the Thames, and a majority of his party, voted against any curtailment of the plurality of votes on account of property, and consequently the proposition was supported by quite a minority in the House. Like the honorable member for Geraldine, I was surprised to hear the honorable member for the Thames, in his speech upon the second reading of the Electoral Bill of 1878, say that he did not refer, in his previous speeches to the country, to the plurality of the votes given to property for members of this House, but to the votes given to property for members of County Councils and Road Boards. I thought at the time that the honorable gentleman was making a mistake, and I was confirmed in that supposition by finding

that what he said upon the subject in this House never appeared in *Hansard*. Then, Sir, in giving more than one vote to property, I certainly would not attempt to do it in the manner that, so far as I can see, this Bill would do. According to my reading of it, this Bill would give the right to vote for property at any number of elections, provided these elections were occasional, and not general. At a general election, property would have no opportunity of exercising more than one vote. Then, again, I think all qualifications should appear in the Bill itself, and not be left to be decided by questions put at the elections. I think nothing is more objectionable than to allow unnecessary questions to be put to electors when they go to vote, and when party spirit is running high. I think all these precautions should be taken in registration. Besides, it is a matter of uncertainty whether any question would be put, and therefore it would be a matter of uncertainty to the elector himself whether he could use his vote. It would always be doubtful whether any one would take the trouble of questioning him. I entirely agree with the remarks that have been made in this debate with regard to the uncertainty of clause 3. I think we require something more distinct than the mere word "elector," and that some such words as "in any part of the colony" should be added, because, as I read the clause, no person could be a candidate for a district unless he were an elector in it. I should also like to make a few remarks with regard to the 5th subsection of clause 2. There we have these words: "No alien, nor person attainted or convicted of any treason, felony, or infamous offence within any part of Her Majesty's dominions, unless he shall have received a free pardon, shall be entitled to be registered." This subject was brought up last year in the House, and the honorable member for Geraldine then tried, and, I think, very wisely and properly, to introduce this restriction with regard to members of this House: and that I would most heartily support. I think it is most desirable that no man once convicted of a crime of this kind should ever afterwards be allowed to hold a seat in this House; but I would not carry that too far and say that he should not have a vote for a member of this House. It would be better, therefore, to add to that clause—"or has undergone legal punishment for his crime." As we have four more Bills to come before us, and as I suppose we shall each have to make four more speeches on this subject, I shall not take up the time of the House longer. I shall vote for the second reading of the Bill, but shall hold myself at liberty to propose or support any amendments that may appear to me desirable.

Mr. ANDREWS.—Sir, it is my intention to speak to this question briefly, and to commence my remarks with that part of the question where the opinion of the honorable member for Cheviot differs from that of the Government. That honorable gentleman said, if I understood him correctly, that the disjoining of these Bills prevented members from looking at them as a whole, and caused members to make clear and distinct speeches on every Bill, instead of one speech on

the consolidated Bill. If the House will allow me to do so, I think I can show good reason why these electoral reforms should be produced in four Bills, instead of in one. I see good reason in it, because we avoid the course which I pointed out was taken with regard to the Triennial Parliaments Bill. In that case, I said the Government had put the cart before the horse; but the Government have taken a better course now, and have put the horse first. We have here in this Bill the most practical part of all these measures, and, even if we do nothing else than affirm the principle of it, and carry this Bill, we shall have done good work. That is far better than attempting to push all these measures through in one Bill, and, possibly through one objectionable clause—say, through some difference of opinion on the Triennial Parliaments Bill—losing the whole Bill. Yet, having once affirmed the principle, we can easily consolidate the laws afterwards. I have now a word or two to say with regard to these clauses as they now stand. I have already expressed my objection to the insertion of the 1st subsection to clause 2; and the Government, and I think almost every member of the House, know my views sufficiently well on that matter. I therefore need not say much upon it now, but I feel bound to enter my protest on the present occasion, and, having done so, I need not make four speeches, as the honorable member for Cheviot suggests. I do not see why we should have any difficulty in getting these Bills into Committee, or why we should want to say more upon them now. I cannot help thinking that, if this clause is passed as it stands, it means plurality of voting, and that only. I should like any honorable member to show me that I am mistaken. Honorable gentlemen have said that there is a saving clause in the Regulation of Elections Bill, because the Returning Officer can ask the elector, "Have you already voted at the present election for any electoral district in the colony?" and, if he does not answer in the negative, he is not permitted to vote. If that is the case, and if that is the intention of the Bill, I fully agree with it: but we have no indication here that such is the case. I should like to see a clause, well-defined, no matter how short, inserted in this Bill, stating something to this effect: that no elector shall vote for more than one district at any election.

Mr. HALL.—Perhaps it may save time if I explain that the particular clause to which the honorable member refers is not in the shape it was intended to have. It was copied from the Bill introduced last session by Mr. Whitaker, and should have been altered so as to read "this electoral district," and not "any electoral district."

Mr. ANDREWS.—That is worse and worse. I must say I was going to vote blindly in the matter, for that was not my interpretation of the clause. But, coming back to the question immediately in point, I think the Bill we have now before us should not pass without having some clause inserted which would clearly indicate that no elector should vote, whether he is qualified for one or for many districts, or

whatever the number may be, unless he has the residential qualification. Then, if the other Bill does not pass, we shall have here a Bill that will be of some use in itself. I cannot understand why, in the case of the freeholder, he is to have possession of his freehold for six months before he is a voter, and, in the case of the residential qualification, a man has to be twelve months in the district before he can become an elector. Why that difference should be made, I cannot see. I presume the great object of this saving clause is to prevent an influx of persons into any particular locality: that is to say, no election shall be rushed by persons of power and money buying up men to go to a particular place, by which an election might be swayed. It is to prevent corruption, and not to prevent persons voting; and that is so far satisfactory. In the case of clause 3, I have heard decided objections made to the mode of registration. Although it does not provide for the whole process, it provides that there shall be an electoral roll. Respecting the electoral roll, I do not know that it is a new notion, but I have heard it suggested in other places that it is high time the electoral roll was altogether done away with. I think every person entitled to vote should be duly registered, and should then become the holder of a parchment scrip or right or a paper of some kind, on the production of which he would be entitled to record his vote. It would prevent corrupt practices, and be a great saving to the country. With regard to subsection (4), I do not think it goes far enough. I have seen the Bill relating to the Maoris, and I believe this House will deal fairly with the Maoris. I can assure the Maori members that I will take very considerable care to see that, in every conceivable way, justice is done to them. I was exceedingly sorry this afternoon to hear one of the members express a hint that the House would deal hardly with them. Every European member of this House whom I have heard has expressed himself quite to the contrary. If the sentiments expressed in this House from time to time by the Maori members are any index to the general intelligence of the Maori people, I am bound to say that there is very little necessity at the present day for special legislation affecting the Maoris. There may be some reason for translating certain matters into the Maori language, but, further than that, I think they comprehend the nature of the laws quite as thoroughly as myself and many members of this House. I wish to assure them that their case shall receive my earnest attention, as I believe it will that of the Native Minister. I think the Ministry ought to have put in this Bill an exemption clause with respect to the Chinese. I never look forward to their being settlers or residents here: as a matter of convenience, they may become naturalized; but I would not give them voting power. I cannot help thinking that subsection (5) should go further. If any person has been convicted of treason, felony, or any infamous offence, I think he should commence *de novo*, and serve the same apprenticeship as any person arriving in the colony. A man might arrive in the

colony with a most excellent character, he might be a useful intelligent man, and might even bring money to the place, and yet he would stand at a disadvantage compared with a man who walked out of gaol after having committed one of the most heinous offences possible. I do not think it is necessary to make long speeches on all those Bills that have been laid before us. I am prepared to help the Government to the fullest extent; but still I should like the Government to give as clear an expression as they can with regard to the first Bill, and then the House will help them through with the others.

Mr. SPEIGHT.—Sir, the few words the Premier has interposed have completely changed my thoughts regarding this Bill. I had been led to the conclusion that the Bill meant to provide for only one class of voters with two qualifications—that is, people might have a qualification by residence, or by freehold property. But, from the observations of the Premier, it now appears that the real meaning of the Bill is, that a man may have twenty qualifications, provided those qualifications are in different electoral districts, and that he may vote in each of those districts; but, as a resident, he can only have one qualification—namely, in the district in which he resides, on manhood suffrage. The anomaly will therefore continue of a man having a right to go from place to place to vote for half-a-dozen members of Parliament. I was inclined to think that the Bill would do remarkably well, provided it was somewhat pulled to pieces in Committee: but now it appears that the 2nd clause is very objectionable. I believed, until the Premier spoke just now, that the Bill was intended to limit the matter to one vote, so that a man might become a voter either because he possessed property of the value of £25, or because he had been twelve months in the colony. Of course it is not right for an inexperienced member like me to say so, but it seems to me an extraordinary thing that the debate should have been allowed to drag on to such a length without our having the explanation just given offered before. Honorable members have been beating the air all the time on a false assumption, and now we find that the Bill really implies all that is objectionable on the face of it, and a great deal more. That being the case, I think it behoves us to consider whether the Bill should pass at all. Personally, I have a decided objection, and the great bulk of the inhabitants of the colony also have a decided objection, to any longer allowing property to assume that position of dominancy throughout the colony that it has assumed in years past. There is a general agreement that, as far as this Chamber at least is concerned, it ought to represent the people and not acres. Property may be represented fairly and properly in another place, and that idea can be well adopted in the present session of Parliament, and acted upon with great advantage to the country. We could have the other, the higher, Chamber representing property with a fixed standard, the possession of which should be necessary to any man desiring to sit there. A section of that Upper House could be elected upon a property qualification;

Mr. Andrews

and I think that is all the safeguard property would require. The honorable member for Wellington Country District, who spoke early in this debate, said that the meaning of the 2nd clause was that property should be represented. Knowing his strong desire to see property represented, I was led to think that he was mistaken, but it is now proved that he understood the Bill much better than most honorable gentlemen who spoke to-night, and who went on a false assumption through the Ministry being silent as to the real meaning of the Bill. I think that the representation of property as regards this House ought to be completely done away with. A man should be entitled to vote because he pays taxation, and no other right except the right of being able to get on the roll ought to be the qualification for coming into this House. The proposal that a section of the Upper House should be elected is one that would really do away with the necessity for the representation of property in this House. In that way we should free this Chamber of all that pressure of property, and relegate to another body the functions which properly belong to it, of conserving the character of our institutions, looking after the interests of property in the country, and seeing that it was not endangered by any radical measures which might be passed in this House. It would also bring us face to face with the question of abolishing the nominee system in the Upper Chamber, which could be done with advantage, and the sooner it is done the better. I do not consider it would be right for a layman, and a young member of this House, to go into the literal construction of this Bill: we should leave that to those better qualified to do so, and content ourselves with considering the principles contained in it. A great deal has been said with regard to subsection (4) of this clause. I think the Maori members have spoken upon that point very fairly and candidly. They have not gone round about, but have told us plainly what the result of a certain course of action will be. It is all very well for honorable gentlemen to say they will take care that the interests of the Natives are not disturbed, and that generally they will get full justice; but the Native mind is sufficiently acute, notwithstanding the uncultivated state we are told it is in, to know when their interests are touched; and the Natives are sufficiently alive to take their own part when necessary. The honorable member for the Northern Maori District showed us exactly where the shoe pinched them, and he called attention to it before the mischief is done. Clause 5 of the Maori Representation Bill provides,—

“The number of Maori members to be elected for the whole colony shall bear to the entire number of the members of the House of Representatives (exclusive of the Maori members thereof) the same proportion as the number of registered Maori electors shall bear to the entire number of registered electors on the rolls of the several electoral districts of the colony constituted for the election of members of the European race.”

By that clause you are going to adopt in its

entirety the theory of separate representation for the Native race in this House, and you are going, according to the statement of the Premier, to increase the number of Maori members from four to something like eight or ten, based on the scale laid down in this clause. Let us take that, to begin with. Is that a correct course to pursue? Is it a wise course to pursue? Is it right that we should now endeavour to perpetuate the thing we so condemn in that way, not as a matter of principle, but as a matter of expediency, until such times as the Natives are sufficiently educated to mix with Europeans? Having once begun in that direction, how will you throw it off when you desire to do so? I believe it would be absolutely better to take the proposal of some of the Native members themselves, and of other Natives in the colony, that they should have a separate Parliament of their own—a separate Committee of their own—to deal with all Native matters, and send them down to this House afterwards. Personally, I think that would be better, though I do not approve of it. That would be better than straining at the gnat, of allowing Maoris to take part in European elections. We know that there would not be above fifteen hundred Maoris who would vote at any European elections—that but a very small fraction of them would vote at such elections. Instead of carrying out what is a mere sentimental idea of putting the Maoris on the same footing as ourselves by adopting this proposal, we should curtail or reduce the number of Maori members until we have them on a par with ourselves. Increasing the number of Maori members is not the way to put the Maoris and Europeans on exactly the same footing. We should induce the Maoris to take part in the European elections, until we are able to reduce the number of Maori members, and ultimately abolish them altogether. I hope it will not be thought that I am too presumptuous in making these suggestions to the House. I looked at the matter carefully long before I came into this House, and the conclusion that I gradually arrived at and sincerely believe in is this: that we should educate the Maoris up to the adoption of our habits, and give them the fullest and freest liberty to exercise the same electoral qualifications which the Europeans exercise. Any attempt to build up any barrier of separation by increasing the number of Maori members and taking away the dual vote will only end in defeating the object we profess to have in view—the placing them on the same level with ourselves. I will now refer to clause 3 of the Bill before us:—

“Every man registered as an elector, but no other person, is qualified to be elected a member for any electoral district within the colony.”

Here, again, you are barring the Maoris out. It means that a Maori would not be qualified, no matter what his qualifications were in other respects, to sit for a European constituency. That is interfering with one of the first rights given to these people by the Treaty of Waitangi. If you ruthlessly—or thoughtlessly, which is the better term in this case—interfere in the smallest iota with rights solemnly given to these men by

the Treaty of Waitangi, rest assured they will see that you are interfering with those rights, and will resent such interference. The honorable member for the Northern Maori District has told us that, if we abolish this right of the Maoris voting for European members, trouble will ensue. That is no idle threat. He speaks in the genuine belief of his heart that trouble will ensue from the adoption of such a course, and the honorable gentleman is doing his duty in giving fair warning to this House. It is all very well to say that, because a man uses these terms, he is not doing a wise thing in saying that certain results will spring from certain action taken by the House. Our proper duty is to stave it off by adopting the course the honorable member proposes. If the proposal made to abolish the dual vote were based upon the using of that vote by the Natives to a very large extent, and doing what honorable gentlemen have insinuated it has done—swamping the European votes at any European election—there might be some show of reason for adopting that course; but, as I have already said, not more than fifteen hundred Natives have exercised the dual vote. It would be much better if five or six thousand Natives could be induced to exercise the vote. The more largely they exercise it the less necessity will there be for special Maori representation. There are many Maoris well qualified to represent European constituencies in this House. I have one in my mind now, who had a seat in this House. I say it without the slightest disrespect to any honorable member, that he was as well qualified to represent a European constituency as many honorable members in this House. I allude to Houni Nahe. He is a man who can take a large grasp of public subjects, and capable of working out the smallest details of matters brought before him. He is only a sample of a large number of Maoris of the same kind; and there are Europeans who would feel that they would be well served by the return of such Native members. Apart altogether from the question of the infringement of the right conferred solemnly upon these people by the Treaty of Waitangi, apart from the wisdom of the policy of that treaty, in common justice to the Natives you have no right to shut them out from representing any constituency who may desire to return a Native as their member. These are a few of the views that have been in my mind regarding this subject. In reference to the objection made to these Bills being brought down in detail, I think the Ministry have done well in that respect. Members can better grasp the subject brought before them when it is contained in a short measure. I say that, if these measures were put into a general Bill extending to thirty or forty pages, I do not think I could have seen exactly the unsoundness of the structures which are attempted to be built upon them. I do hope that Ministers will, with the view of getting a good Bill and one acceptable to the country, take the suggestions offered to them. I hope—and I express it with the greatest deference and respect to those honorable gentlemen—that they will take this Bill back and shape it in such a way as will meet the loudly-expressed desire

Mr. Speight

of the country that property shall not give a claim to the possessor which other men without property do not enjoy. We should have a measure passed that will give to a man who shows that he means to reside in the country the same right to vote as any other man living in the country whose possessions may be greater.

Mr. DICK.—I am glad to find that the House is pretty unanimous, and that without difficulty we are getting into one of those Bills which have been cried for in such a loud and earnest voice during the last few months. I do not think it is our duty, in considering this Bill, to go into every clause of it and discuss them in the House, as that can be done when we get into Committee. I think the principles of the Bill should receive our consideration. Now, in reference to the 2nd clause of the Bill, I must say that I cannot agree with the Government regarding it. I do not agree with the proposal to reduce the freehold vote to £25. Before I go further in that matter, I must express my surprise at the objection which was taken by the honorable member for the Thames this afternoon in regard to that clause. It seems to me that sometimes we have in that honorable member two different persons. He speaks one way to-day, and another way to-morrow. The other night, in a very eloquent speech, he held up before the House, as the perfection of law-making, the Constitution Act, and wound up by a Latin quotation which is well known, and which a schoolboy once translated, "I have eaten a monument harder than brass." That is what the honorable gentleman is doing: he is eating this monument which is harder than brass. He has been going on swallowing it piecemeal, until there is very little of it left. He objects to this clause because he insists that there shall be nothing but manhood suffrage. Now, in his Constitution Act he gives a property qualification larger than is given in this clause. The provinces have been done away with. I do not say the honorable member had anything to do with that: I am glad to say that he resisted it. We have now the ballot, while open voting was given by the Constitution Act. The honorable member is getting rid of the property qualification as fast as he can. He has eaten the monument well down already, and there are only two portions of it left, which he is trying as hard as he can to eat up. The last gulp is the Legislative Council as at present constituted, and the nomination of our Governor by the Queen; and then the monument is gone, and the honorable member who flourishes it before the House is the eater of it. In regard to this clause, I object to the alteration: in fact, I think there should be but one vote in the elections for this House. I am of opinion that there are positions in which property ought to be represented. In the City Councils, in the County Councils, in the Road Boards, property ought to be represented; but in reference to this House there should be only manhood representation, and therefore this clause has, I think, been injured rather than improved. If it must be considered liberal, it is liberal in the wrong way. Before, the property qualification was a larger one. Now it is so small that

a man who so wishes can get himself a vote in any part of the country, and we shall find, if this Bill is passed, that men will get votes all round. For instance, there are a great many persons in Dunedin who, under this £25 qualification, could get votes in all the districts around Dunedin: they are cutting up land into little bits, and £25 qualifications could easily be bought; so that the result will be that residents in the districts will be outvoted by persons who are non-residents, but who have simply chosen to expend £25 in qualifying themselves. There is one other point to which I will refer, and that is the Maori question. We speak of Native difficulties outside this House, but I think we are here face to face with a Native difficulty which will give us a good deal of trouble before it is properly settled. I agree, to some extent, with the remarks of the honorable member for Auckland City East as to this matter. I feel we are asked—not only in the Bill before us, but in another Bill—to legislate in the wrong way when we are asked to exclude the Maori from voting with the Europeans. I do not like the reading of this Bill. It seems unkind towards the aboriginals to say that no “aboriginal native inhabitants of New Zealand, including half-castes living as members of a Native tribe, according to their customs and usages, and male descendants of such half-castes by aboriginal native women,” are to be voters. It seems to me that that is a penalty not only upon the Natives themselves, but upon their children because they are Natives. I think we should encourage the Maoris as much as possible to get into European habits, and to come under European rule to the fullest extent. If they would individualize their possessions, cut them up, and give up tribal rights as much as possible, get Crown grants for their lands and settle upon them, register themselves as Europeans do, and pay taxes according to European law, they should be treated not as aliens, but as part of the European community. If that could be done, we should get rid, to a great extent, of the Native difficulty, and save ourselves from being inundated by too many of the Native race in this House. Another point is this: We should encourage education among the Maoris by insisting that any one qualified to be a member of this House should be sufficiently well up in the English language to be able to talk to and listen to us in our language, so that there should be no necessity for an interpreter, and so that they should no longer be liable to be misled by ex-Native Ministers and other persons politically biased misinforming them as to what takes place in the House: they should have sufficient education to be able to listen to our debates in our own language. I think the Bill, when it gets into Committee, can easily be put into such a shape as will make it suitable to the wants of the country. I do not agree with the honorable member for Auckland City East that, because of the 2nd clause, it should be denied a second reading; but all should assist the Government in every way in their power to make it such a Bill as will satisfy the people.

Mr. PITT.—I shall support the second read-

ing of this Bill. I think that, if the honorable gentleman who drafted the set of Bills of which this is one had had the advantage of having a series of resolutions such as the honorable member for Waitemata spoke of before him when he drew them, possibly a good deal of the discussion that has taken place this evening would have been avoided. However, we have to deal with the Bill as we find it. The objection that has been taken by several honorable members to this freehold qualification seems to be untenable so long as the qualifications are as they appear in this Bill. The arguments of those honorable gentlemen would be all very well if manhood suffrage pure and simple was what the House had made up its mind to have; but this Bill deals with two classes, the freehold and the residential franchise. Whilst the residential franchise is such as is provided by this Bill, I contend that the freehold franchise must also exist. Honorable members will see that, in respect to the residential franchise, a person is only entitled to register his vote if he has been a resident for a certain time immediately preceding the registration of his vote; but there are many persons in the colony who would have a right to be represented, but who may be absent from the colony when the rolls are made up, and who would thus be disfranchised for months. Another very good reason was given by the honorable member for Akaroa, which weighs with me in supporting this freehold franchise, and it is this: As honorable members seem to think—and rightly so—that some time should elapse before a person is entitled to be registered—he should reside a certain time in the colony—I think that a person who has acquired property is entitled to be registered earlier. I should be inclined to support the Regulation of Elections Bill as it is drawn at present—that is, that a person should only be entitled to vote once at a general election; but of course provision has to be made for casual vacancies, and, in respect to them, I think any one holding a freehold property in a district in which the election for the vacancy may occur, although not resident in it, should be entitled to vote. Therefore this freehold qualification is necessary. In reference to subsection (4)—that dealing with the Maoris—there is certainly some difficulty, and a difficulty which will be increased when we come to consider the provisions of the Maori Representation Bill. I have listened with considerable interest to the remarks that have been made by the Maori members this evening, and certainly we could not help admiring the manner in which they guarded the interests of their constituents, even if we could not acquiesce in their arguments; but I will say this: that if it is a choice between giving the Maori power to vote at the general elections and increasing the Native representation in this House, I should prefer leaving the law as it stands. In clause 5 there are two defects. I do not see why a person who has been convicted of a felony should thereby be for ever prevented from voting. I agree with the present law, that such a person should not become a member of this House; but why he should be debarred from voting I do not

see. It was not so under the Constitution Act. Under the Constitution Act, if a man had undergone his punishment he then became entitled to vote, and even to become a member of the House; but the latter privilege was withdrawn by the Act of 1867, and with that I agree, but not with this new proposal. It is a fundamental maxim of our law that a man shall not be punished twice for the same offence; but this would be punishing a man for all time. The next defect is a peculiar one. While any person convicted of an offence "within" any part of Her Majesty's dominions suffers these disabilities, they do not apply to any person who commits a crime beyond Her Majesty's dominions, say, in California, or upon the high seas. That, I think, is a defect. As regards the other provisions of the Bill, I have nothing to say at present; but, as we have heard so much about Liberalism of late, I am disappointed to find there is one serious omission, and I am also disappointed that no older member of the House than myself has pointed it out: I refer to the omission to give the franchise to females. Honorable members may laugh, but I am perfectly serious about it. Honorable members profess to be liberal; but when we go into Committee I will give those gentlemen an opportunity of showing whether they are the true Liberals they profess to be, or Conservatives wishing to keep all the political privileges to themselves—whether they will be inclined to extend the franchise in the manner to which I have called attention. I, Sir, can see no reason whatever why females should not have the right to vote—that is, widows and spinsters. We impose upon them all the political obligations without giving them any of the political privileges. The honorable member for Waitemata said this afternoon, "We represent the people." I deny it. I say we only represent a part of the people so long as this privilege is withheld from the female portion of the community. We have already recognized their right to it with regard to municipal institutions, and I have never heard any complaint that the privilege has been abused. We have certainly never seen any good reason to alter that. As I say, we put upon them the whole of the political obligations without the political privileges. Not only do widows and spinsters contribute indirectly to the revenue of the country, but they contribute to the direct taxation in the shape of land-tax, stamp duties, &c. I think myself there is no good reason whatever why the law should not be amended in this direction. Females are highly interested in this matter, for this reason: Widows may possibly have families growing up; they have to pay taxes, and yet are to be utterly debarred from having any voice in the selection of those members who make laws by which they and their families are to be governed.

An Hon. MEMBER.—Give them seats.

Mr. PITT.—No. I have no doubt that, if the honorable member for Napier were in this House, he would say that the logical outcome of my argument would be that they should have seats in this House. I object to it. If there were no other argument against it, I would use the argu-

Mr. Pitt

ment that it would be inconvenient. That is a sufficient argument. I am not prepared to go to that length, or the length of giving married women the right to vote. Many contend that married women holding separate property should have a right to vote. I am not an advocate of that; but, in respect to widows and spinsters, I am prepared to support an alteration in that direction. No doubt one of the arguments raised against it is, that we in the colonies ought not to do it until they do it in England. That is not a good argument. We have set them the example of reform in the adoption of vote by ballot, land transfer system, and in many other important matters; and I firmly believe that this reform will come sooner or later. And as we in the colony have set the mother-country an example in other matters, I see no reason why we should wait in this until the reform takes place there. I would appeal to honorable members of this House who think as I do to endeavour to have this matter amended in this Bill. I believe I am not alone; I am sure I am not alone in this matter. The honorable member for Grey and Bell spoke of the matter in a previous debate. I must say I was rather disappointed he did not refer to it in this. If honorable members think it is right that the franchise should be extended in that direction, I hope they will have the courage to give expression to their convictions in the matter, and attempt to have this reform carried out. I believe that before many years this reform will come about, and I should be glad that this colony—which we hope to be, and which I have no doubt will be, the Britain of the South—should secure to itself the distinction of having been the first colony in Her Majesty's dominions to confer this act of justice upon a large class who I consider are suffering an injustice at present. I trust that the outcome of the debate upon these Bills will be, that when we have finished with them we shall be able to say that we have improved the laws relating to our representative institutions in a very material degree; and, notwithstanding the party strife that has taken place in this Assembly during the last three or four months—not only during this session, but in the previous one—I hope we shall be able to reflect, when the session is concluded, that we have succeeded in placing the laws relating to representative institutions of this colony on a satisfactory basis; and, if we do that, we shall have succeeded in doing the State good service.

Mr. TAINUI.—I wish to say a few words about this Bill. As far as I can see, there are four Bills which relate more or less to the Natives. I should like these Bills all brought forward at once, that we might consider them respecting the Natives. I am afraid that, if I support this Bill, perhaps in the next Bill there will be something detrimental to the Native race. Therefore I should like to see these Bills in the Native language, that we might consider them and see what the effects might be. With regard to what the honorable member for the Thames said, he said that there were subjects in these Bills relative to the Natives before the Parliament was called in New Zealand, and I think that the Maoris have

been a thoughtful race ever since the Queen's authority was established here. The Maoris are now desirous of having their children well taught in the schools, and I think that they will some day gain a benefit from having their children taught in the schools, and some day we hope that those children who are now being taught will be here in this House. I should like to say a few words about the time when the Natives assembled at Kohimarama: it was then that Governor Browne made a statement to the Natives there assembled. He then said to the Natives that he was intending to write to her Majesty the Queen—that was the first time the Natives assembled there—because the Queen had great sympathy for the Natives, on account of the way in which they behaved to the laws that had been made for them. Therefore the Governor said to them that some day the Natives would be able to obtain justice for themselves, and that before very long some of those Natives would be able to sit in the House of Parliament, and would be able to make their own laws. And before long this Parliament decided to let four members sit in this House. When the Natives were allowed in this House, they asked that some might be allowed to sit in the other Chamber; and when the Natives saw that their members were allowed to come and make the laws, they asked that they might be allowed to have some more members come and make the laws, and that is what the honorable member for Wairarapa said of it—that there had been many petitions sent down asking for more members; and I think that this will be the time to increase the number of Native representatives. But I will say something now that perhaps the Speaker may rule out of order in mentioning what is outside; because it states in one clause of this Bill that the half-castes are not to be allowed to vote. I find I have mistaken this for the Native Bill. It is in the Maori Representation Bill that the provision respecting half-castes to which I wish to refer is contained.

MR. HUTCHISON. — The principle contained in the Bill seems to be this: that every man living in this country shall have a vote; that men who have property, and more especially small properties scattered throughout the colony, shall have any number of votes; with the exception of the Maoris, who shall have no votes, and those who have been guilty of certain crimes, unless they have received a free pardon, which they are never likely to get. Therefore we exclude from votes all Maoris, and all the people who have been guilty of any treason, felony, or infamous offence. That seems to be the principle of the Bill. Now, as regards this property qualification, I dissent from it altogether, and I think the Government will find that the House will not support them in it. The honorable member for Grey and Bell endeavoured very ingeniously to prove on behalf of the Government that the Bill did not mean to give five, six, or seven votes; but the whole superstructure of his argument was overthrown by the Hon. the Premier, who told us that it did. The Bill does mean that a man can have votes in as many

places as he can afford to hold property. Now, that fails to do justice, even to property; because, as the honorable member for Akaroa showed very clearly, a farmer owning a large farm worth £5,000 may be living in a particular district. He lives on his property and attends to his work like an honest man, and he has his one vote; whereas another man takes up a half-section here and another there, and runs away and bolts here, there, and everywhere, and has a vote in respect of each property. What a large number of us contend for is this: that property has no special claim to be represented in this House. I am not even able to follow my honorable friend who speaks of the other House being the conservators of property. I understand we are going to legislate irrespective of property in all cases, and endeavour simply to recognize manhood. Property will take care of itself. So long as we are trained up—unfortunately, I think—in that worship of money and of property which prevails throughout the whole of the British dominions, and here just as much as elsewhere, property will always assert itself. It will be conserved to a far larger extent than it ought to be without having any special representation of this kind. And we stand here now to contend and do battle for the representation of man—that wonderful entity which Thomas Carlyle describes as standing upon two legs, with a wonderful head upon its shoulders, and two five-fingered hands at its shackle-bones,—that is what we want represented. I know quite well that, as I say this, there is a sneer on the faces of a number of gentlemen. They have been so trained, so brought up to believe that property is such an essential thing, that when one speaks of the rights inherent in a man simply as a man they cannot help sneering. We had an illustration of this to-day. I do not see the honorable member for Geraldine in his place, and I do not like to say very much about any gentleman who is absent; but he and the honorable member for Dunedin City (Mr. Dick), the honorable member for Cheviot, and several other honorable gentlemen, seem to take a delight in singling out the ex-Premier as a special object of attack. The honorable member for Dunedin City, for example, went on talking about Sir George Grey eating up the Constitution. Why, he could not have adduced anything more in praise of the honorable gentleman than that. The Constitution, like all Constitutions, did its work at the time it was framed, its object being to do the best for this colony at the time. But we do not remain for ever in the same groove, and we are not going to live under the shadow of that Constitution everlastingly. An honorable gentleman referred to the Treaty of Waitangi. Well, Sir, I thought we had heard the last of that long ago. We have nothing to do with the Treaty of Waitangi. We have to do with what is our business and our duty this day for this colony, and not what was done thirty or forty years ago. And I say that the ex-Premier, after framing our Constitution, has gone on trying to do the best he could for the colony year after year. And thus there has grown up a feeling almost amounting to

positive hatred against him, for having taken the idea of standing up for the rights of men as men, irrespective of property altogether. We make no attack upon property; we are not revolutionary in any sense; but we say this: that one man coming to this country ought to receive the same rights and privileges as another. We wish to abolish all this idea of caste arising from property. At least, I am speaking for myself when I say so: and we ought to remember one or two things. We ought to remember that we only do honor to ourselves when we endeavour, to some extent at all events, to do honor to the one gentleman who has an historic name amongst us in this House. Sir George Grey has abdicated voluntarily the leadership of his party, but I take leave to say this: that just as the old Highland chieftain said, "Wherever Macgregor sits, there is the head of the table," so I say, "Wherever the ex-Premier sits in this House, there is the head of this House." And I cannot help saying further—and I say it all the more because I am no partisan—that Sir George Grey is only receiving the same treatment that all reformers have received from the beginning, at least from the days of Gracchus to the days of Mirabeau and onwards. The good he has done is not remembered, and the little evil that has followed his endeavours is continually talked of. That is all his reward, and he must console himself with that reflection. Well, we are going to get rid of this property qualification. I believe the members of the Government will acquiesce in, and be prepared to meet, the views of the House in that respect. Now, about the Maoris: I do not hold any very strong opinion on this point, but I can well understand how this clause comes in. It seems to me very logical that it should be here in connection with the legislation which is proposed. Statesmanship is simply a question of adaptation and expediency, and of taking the best means possible for government in certain respects. Now, I can well see that to have a special Maori franchise and representation does justify such a clause as this; and the question for the House, I take it, is this: Will it tend to the better government of the Maori race that this clause should stand as it is, or that we should give them the extra franchise? I am inclined to believe that we should give the Maoris the right of voting along with ourselves, as a matter of expediency. As a matter of right, I do not know whether they are entitled to it or not, and I know that strong arguments may be adduced against their having this franchise. More than one country district can be found, not far from Wellington, where the Maori vote comes in and really swamps the European vote. And one would not mind that at all, if it were not that the swamping is done simply because one Maori doctor can manipulate the votes better than another Maori doctor, and get all the votes of the Natives for a particular man. It is rather a hard case for a candidate who is endeavouring to come in upon some particular principle, that he should be outvoted by a race who take no interest in the questions that are agitating the European mind, and who vote because an inducement is held out to them by some men who can talk Maori. That

Mr. Hutchison

is rather a hard case; but the question is this: Shall we bear those ills we have, rather than rush upon others that we know not of?—and my impression is that it will be wiser to allow the Maoris to be on the rolls as they have been in times past. It would not do to interfere very largely with the matter. This franchise may be a satisfaction and a pleasure to the Maoris; and I think, on the whole, the Government will see that it is better that it should be given to them. I am speaking, as I have said, not in any partisan view with regard to these matters. My belief is, the Government have only a desire to make this measure what the country would wish it to be—with the exception, perhaps, of this property arrangement, which I am afraid they would like to carry if they possibly could. I may be wrong, but I have a very strong impression that we now have a Government which is particularly fond of property and fond of acres. We are all fond of acres—but their special desire is to protect the interest of acres as against the interest of men. I may be wrong; but we shall see before long, when we come to vote on this Bill. That is the fear I have; otherwise I am sure their aim is to make this Bill all that we can desire. I hope I shall not be considered an advocate of criminals, but I think that, after a man has suffered for his crime and goes among his fellows, he should not be debarred from the right to vote. It is utterly wrong that we should keep up the recollection of a crime after a man has paid the penalty meted out to him by the law. As individuals we may refuse to associate with him; but after the law has punished a man he is again entitled to all the rights of a citizen. I have nothing further to say. I shall support the second reading, in the hope that in Committee we shall improve it wherever necessary.

Mr. MURRAY.—The honorable gentleman who has just sat down was pleased to make some remarks on the subject of property for my special benefit. It may be that I am very obtuse, or that his meaning was very obscure, but really I failed to discover any argument in anything that the honorable gentleman said.

Mr. HUTCHISON.—I was speaking about the ladies. I do not know whether the honorable gentleman is particularly interested in that matter.

Mr. MURRAY.—We have simply had a repetition of the statements of those persons who rail at others who, by prudence and industry, have got together a larger share of this world's goods than have fallen to their own lot. It is not the question of Liberalism or of any particular dogma that we should take as our guide. We should take Locke's maxim, that the end of all government is the good of mankind; and we should adopt such measures as will attain that object. On this point, I will quote a passage from De Tocqueville, who says,—

"It should be the aim of the enlightened statesman to prepare society for its increasing responsibilities, to educate the people, to train them in the ways of freedom, to intrust them with larger franchises, to reform the laws, and to bring the

government of the State into harmony with the judgment of its wisest citizens."

I think that sentiment is re-echoed by a majority of this House, and I trust that when we begin the work of liberalizing our Constitution we shall keep these maxims in view. But it is no use granting a more liberal franchise unless we also take into consideration the question of readjusting the representation. Here is what another great Liberal, John Bright, says:—

"We must watch the point of redistribution with the keenest eye, and repudiate without mercy any Reform Bill of any Government, whatever its franchise, if it does not satisfy the just wishes of the people in regard to redistribution."

I think there is more necessity for a fair and equitable adjustment of representation than for all these liberal measures. I do not think the proposals contained in this Bill are likely to commend themselves to the intelligence of this country. I cannot approve of many of the proposals. The Bill introduced during the late abortive session provided a much more satisfactory solution of the difficulty. There were two proposals in that Bill with regard to the franchise—the residence and the ratepayers' qualifications; and by the issue of voting rights an excellent preventive of personation was provided. Clause 37 was to this effect:—

"Any person claiming to be entitled hereunder to have an elector's right issued to him for any electoral district shall apply in person to the Registration Officer of such district for the purpose, and, in the presence of the Registration Officer, shall sign his name in a book to be kept for the purpose, and also severally in the body and the butt of the elector's right to be issued, before the issue thereof, and pay to the said office the sum of two shillings."

I think that would meet the view of the honorable member for Christchurch City (Mr. Andrews). If the same principle were adopted in this Bill, and extended to the ratepayers' franchise, so that one uniform description of receipt should be used throughout New Zealand, and that it should be signed by the receiver as well as by the person by whom it was issued, we should have an effectual guarantee against personation. In regard to the residence qualification, I think we should provide that no person who is an habitual drunkard, or who is insane, or who has been guilty of crime, should be capable of being an elector or of sitting in this House, for we cannot be too careful in keeping the electorate pure. I am sorry to say that we have not kept our elections pure; and in connection with this matter I may quote the words of Avellaneda, President of the Argentine Republic, who said, "When the public vote is tampered with, we must remember that representative institutions exist but in name." Therefore, while we are passing these measures for extending the franchise, unless we take some steps to prevent the unfair use of the vote, we shall set up a mockery in the name of liberty. The ratepayers' franchise under this Bill does leave room for the fear that a great number of faggot votes

will be created to swamp the outlying country districts. We had experience of that during the late elections; and, if these faggot votes are allowed to be created for the sum of £25, we may rest assured that the outlying districts will be swamped by the voters from towns. I think that if we deny to property the right to vote where the ratepayer lives, and only allow him to vote by virtue of his manhood, we do a great injustice. If I gave property the right to a vote I should give it in the district where the owner lived, otherwise we should favour an absentee proprietor; and I should object to the outside vote coming in to swamp the resident proprietor who could only vote by virtue of his manhood. In regard to the female franchise, if we are going to discard all those trammels which have been a disgrace to the British Constitution for ages past, we shall show that at last woman shall be placed on an equality with man. I will not go so far as to say, however, that, because a lady occupies the highest position in the British Empire, female members would be altogether suitable in this House: not that they would not conduct themselves wisely, decorously, and well, but their agreeable presence would, I fear, prolong the sessions greatly. I was much pleased with the speech of the honorable member for the Northern Maori District:—there was a fine manly ring about it: but I think he was misled. There is no desire to do injustice to the Maoris. We should prefer to see them fight out their differences on the floor of this House, and not on the battlefield with the tomahawk. I fear that there may be difficulties in dealing with this question, and possibly the best manner of settling it is to leave matters as they are, for I believe that in the course of the next four or five years there will be a very considerable change. I believe the time is not far distant when the Native members will be able to take part in the debates of this House in the English language, instead of speaking through the medium of their interpreter. With regard to the introduction of aliens, some honorable members have said that a man should have a right to vote immediately he puts his foot on these shores. I entirely dissent from that view. We frequently have the United States held up to us as an example; and what is done there? I will read a naturalization paper, which every one must subscribe to before he is allowed to take part in the elections of the United States. It is as follows:—

"It appearing to the satisfaction of this Court, by the oaths of A.B. and C.D., citizens of the United States of America, witnesses for that purpose first duly sworn and examined, that E.F., a native of [Scotland], has resided within the limit and under the jurisdiction of the United States five years at least last past, and within the State of — for one year last past, and that during all of said five years' time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well-disposed to the good order and happiness of the same; and it also appearing to the Court by competent evidence that the said applicant has heretofore, and more than two years

since, and in due form of law, declared his intention to become a citizen of the United States, and having now, here before this Court, taken an oath that he will support the Constitution of the United States of America, and that he doth absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty whatever, and particularly to Victoria, Queen of Great Britain and Ireland: it is therefore adjudged and decreed that the said E.F. be and he is hereby admitted and declared to be a citizen of the United States of America.—Signed, J.F., Judge.—Signature of E.F.”

The signature of the applicant is appended to show that he is the individual entitled to vote, and that is all that is necessary. They therefore dispense with these cumbersome rolls. As there are to be several other Bills brought before the House, I shall not take up time now; but I may say I am glad we are brought face to face with what has been called the great liberal policy which has for so long been dangled before us in order to take away our attention from other important matters. That policy has taken the place here which the foreign policy of England has taken at Home in the hands of the Conservatives in order to prevent the people attending to internal improvements and necessary reforms. These measures are now in a fair way to be disposed of, and then I hope the House will devote itself to practical measures to promote the prosperity and progress of the colony and the welfare of the people.

Mr. LUNDON.—Sir, I am glad to have heard the debate upon this Bill. When I came down here I came down afraid that the Maoris would not get justice; but I see to-night that they will get a full measure of it, and I think that they have nothing to fear in that direction. Some questions have been asked by honorable members not acquainted with the Natives; and, as I am, I will answer them. The honorable member for Akaroa was anxious and willing to give the Maoris the same franchise as Europeans, provided they were made responsible with regard to taxation. I can tell him for a fact that there are Maoris sitting in the County Council of Hokianga, and they pay their taxes willingly and without any difficulty—much more willingly than Europeans. There are also Maoris on the Road Boards in the Mongonui District, who have been paying their rates for years. Then, there is the County of Waitemata, the district which Mr. Reader Wood represents: the members of that County Council are all merchants and business men of Auckland, who know very well what they are about. They sent to Mr. Whitaker, the present Attorney-General, for a legal opinion, and he gave his opinion in writing to the effect that the Maoris are answerable for rates on lands Crown-granted to them, and also for rates for certificates of title. What Mr. Whitaker as member for Waikato may have said I do not attach much value to; but, when he speaks as a paid lawyer, I pay great attention to him—I do not think we could have a higher authority than he. As to the assertion that the Maoris do not care to have a

vote, the best proof to the contrary that I can give is the instance quoted by the honorable member for Wairarapa on the authority of the late member for Mongonui and the Bay of Islands. When the Natives up there were applied to and told that they would get increased special representation if they would only give up their claim to the electoral franchise, they said at once they would not give up their natural rights for any special representation. The consequence was, that at the last election there were five candidates put up to represent the Mongonui and Bay of Islands District, and, although the late member was the only one for the Opposition, and the others were for Sir George Grey, he was the last on the poll. And, more than that, a public meeting was held at Hokianga, both of Europeans and Maoris, and a petition was got up and signed by at least a thousand persons, which was presented to this House by Sir George Grey; and in that petition they said, “Rather than you should take away our natural rights, we will give up our special representation.” I hold they have a right to the special representation too, and the man who gave it to them conferred not only a great boon on them, but a great honor on the Europeans. It was the late Sir Donald McLean who gave them that. At that time there was no borrowing of money, but now you are borrowing it to any amount; and on what? On the Customs revenue and the land revenue. If you do not give the Maoris special representation, you are not acting fairly towards them in borrowing money to make roads and bridges, while the land on the security of which you are borrowing is still in the hands of the Natives. You cannot make roads through their lands, because they will not allow you, and therefore you make them on your own land on the security of theirs. Therefore I say the Maori members here represent a larger landed estate than all the rest of us put together. Then, with regard to their being on the roll for their freehold property, surely a man born in a country has as much right to be on the roll as a man who came to it. If you are going to try and make them give up the rights which were conferred upon them by the Queen in the Constitution Act, do you think they will agree to it? I say, if you did that, it would be robbing them. It would not be like robbing them of their land or of their women, but of that for which all men should fight, as their natural right. Why should men in this House who are, so to speak, strangers in the country, come here and ask them to give up their rights? It is absurd to think of doing such a thing. I am very glad the opinion of the House has been expressed as it has been, and that the Premier is going to take away this 4th subsection.

Mr. DE LAUTOUR.—He did not say so.

Mr. LUNDON.—Then I hope he will; and, if he does not, he will never get my vote, and I am rather well inclined towards the Government. I say now, honestly, that if the tone of the debates in the House the session before last session, and at the last session, had been as it has been to-night, I should never have wanted or attempted to come down here. Half of the people who sent me here were Maoris; and why should we be

Mr. Murray

afraid of their sending members here? When Mr. William Katene was a member of this House, they allowed him to spend £5,000 a year, which was voted by the House under a resolution by Mr. Farnall. I heard Mr. Richardson, who was then in the Government, say he had such confidence in Mr. Katene that he would trust him with the spending of this money in the district. That gentleman stood against me at the last election. Mr. Williams was also a candidate, and he had been a member of this House for seven years. When the elections came on, Mr. Williams got most votes in the district where he had most influence, and Mr. Katene got most votes in the place where he had most influence, and I got most where I had most influence; so that is proof that the Maoris did not follow any particular person like sheep. I do not think it is right that honorable gentlemen should bring up matters in this House that are likely to cause irritation, and I am sorry that the honorable member for Wairarapa has done so. He is not here now, or I could show him the evidence that was taken by the Commissioner who inquired into the roll of that district. However, the Bill before us is of more importance than myself, and I will give the House an instance or two of the interest the Maoris take in these elections. Thirteen Natives in the Waihou Riding had votes for the County Council of Hokianga. Two of these came forty miles to vote, and on the night before the election it was found that another was absent. They were asked why he had not come, and they said it was because he had no trousers, and he was afraid to go through the township. So they sent for him a distance of about seventeen miles. He had to come against the tide; it would be high tide about twelve o'clock on the day of the election; but he went to the wrong riding, and had to go four miles further up, and then four miles back, so that he had to travel altogether about forty-two miles to go and record his vote on that occasion. I give you that instance to show that the Maori really places more value on a vote than a European. I will give you another example. Mr. Stafford and Mr. Gillies turned out the Fox Ministry, and twenty-eight days afterwards Sir Julius Vogel brought a vote of want of confidence against the new Government. There was at that time a Native in this House named Wi Parata, and he wanted to vote for the Stafford Government: twenty-eight days after he was bought, and the price he got was to stick Wi Tako and Mokena into the other House and give himself a seat on the Government benches. There was a European bought at the same time, and he was bought for the editorship of a paper in Otago. Consequently, that shows that the Maori put a great deal more value on a vote than the European. There were Europeans, too, bought here lately, and they did not get half as much. I give these points to young members who are strangers in this House to think over. If I have not been in this House long as a member, I have often been in the Speaker's Gallery, and I could give many instances of that sort of thing; but it is getting rather late now. I am

sorry the honorable member for Wairarapa is not present, for I could let him know something on one point that he would not like to hear. He said the honorable member for the Bay of Islands saw one man sign twenty voting-papers, and did not stop him. I have seen worse things than that done in this House. The Royal Commission did not go far enough in that inquiry; but I think it will be found in the evidence that I advised that man not to do it. I was asked whether I saw one man sign all those papers, and I admitted it; but they attach no blame to me, because I had advised him not to do it; and he was a Justice of the Peace then, and is now. Then the late Returning Officer, Mr. Williams, gave the number of names on the electoral roll, and he swore that a number of those were minors; but here is the evidence, and it will be seen that many of them were grown up, and that one of them, at all events, was a man of fifty years of age. I offered to produce those eight men before the Commissioner, but he said, "There is no necessity, because that part of the case has broken down." There is another magistrate, Mr. W. B. White, at Mongonui, drawing £600 a year, and he gave evidence that he had been blind for two years; that he did the duties of Resident Magistrate, and that his wife and daughter did the clerking. He wrote to the Returning Officer—the sitting member's brother—that so-and-so were London's friends; and, consequently, all were objected to. Here is the roll for 1877-78. In that roll there are 106 Maoris who resided in the Returning Officer's immediate neighbourhood, and there are only two Maoris belonging to the Mongonui County, where I had influence, and those two are Justices of the Peace. In this roll there are 106 Natives belonging to the Church of England. There are 800 Catholics on the other side, but not one of them is on the roll. I sent a petition to this House asking for an inquiry; and Mr. Whitaker (the Attorney-General), in reply to the honorable member for Newton, said that there would be an inquiry. I went to Mr. Whitaker in Auckland, and asked him if he was going to appoint any one to inquire and to report on my petition, and said that the inquiry must not be made by a man in the district, or a Government officer. Mr. Whitaker handed over the appointment to his friend Dr. Pollen, who handed it over to Mr. Kemp—a relative of the Williamses, and the head of the Native Department, the rottenest department in the colony. Mr. Kemp appointed a broken-down militia major to go down, and hold an inquiry. He made the inquiry, and made it very "hot" for me. If Mr. Whitaker had done his duty, and himself appointed some one to hold the inquiry, he would not be in the Lords to-day, but would be here. He handed the duty over to Dr. Pollen, who handed it to Mr. Kemp, the head of the Native Department in Auckland. That is essentially a rotten department, because when a man is bad he goes amongst the Maoris. The missionaries are right on the whole; but they have no energy. But those who run away from their fellow-men go amongst the Maoris; and the Native Department will be bad until the Natives are educated and can do the work for

themselves. Mr. Bryce was a stranger to me. As far as his report goes, I do not find fault with him; but it does not go far enough. When Mr. Williams did wrong Mr. Bryce is sorry for it; but when I did wrong he is glad of it. But Mr. Williams was a magistrate; he took an oath that he would do no wrong; and he drew £500 a year. I was paid nothing; I took no oath to do no wrong. Now, I wanted to make the state of affairs as bad as possible. Desperate diseases require desperate remedies, and I said, "I will make the state of affairs so rotten and bad that they must have an inquiry." Well, an inquiry was held, and the end of it is that we are all bad. I went to the district five years ago, and I am here now. I like the Natives. They are a generous, honest people, and, as a rule, they are fair and square in their dealings. There is no doubt in the world that in a few years the Natives will be quite able to come in here and take part in the debates of this House. In the district I represent there are twenty-two Native schools, and some of them are a credit to the country. Until you have the Natives here helping the Ministers to manage Native difficulties, the Native Department will essentially be a rotten one. The honorable member for the Northern Maori District said that if the Maoris were taken off the roll there would be trouble. I believe that if the Natives are not allowed the same rights and privileges as ourselves there will be trouble. The Native mind is in a very disturbed state at present, and there would be very little difficulty in kindling a flame which would cause a great deal of trouble, expense, and bloodshed. Although I cannot speak the Maori language, I understand it, and I know that the Natives were never in a more excited state. I do not envy honorable gentlemen sitting on those benches; and the Native Minister will have his work cut out for him.

Mr. SEDDON. — I think the Government ought to be extremely gratified by the satisfaction expressed by all honorable members who have spoken on the measure before the House. I think it will soon be necessary to institute a search for the great Liberal party which was in existence a few days ago, seeing the leaders are conspicuous by their absence. I quite understand the meaning of the Bill with regard to giving the dual residential and property votes. Under subsection (1) a person resident in Victoria or the Old Country would be entitled to be registered if he held twenty-five pounds' worth of property. That places us in the position we have occupied hitherto. While objecting to the property vote as a property vote, I also object to it as being cumbersome. In the past we have found that the more Acts which have been made law on this subject the more difficult it was to put people on the roll. I hate the name of "roll" as applied in this measure. We are told by the Government and the papers that 70 per cent. of the male adults in the colony are on the roll. Nothing of the kind. In my own district last year the Revising Officer purged the roll of seven hundred names which, through the present cumbersome system, had remained on the roll for some years, al-

though the parties had moved to other districts, where they had registered themselves, or had removed to other parts of the same district and sent in fresh claims. Out of a roll of three thousand names, seven hundred were struck off. The same thing will occur again if we allow this system to be perpetuated. Without exception, during the late elections the cry was for "manhood suffrage," and during the late no-confidence debate all the speakers advocated that principle. There was very little said about property votes. I give the Premier credit for the ingenious way he introduced the measure: he provoked as little hostility as possible. But it was his duty to tell us everything, and to tell us what he explained a few minutes ago. In Committee I shall protest against subsection (1), clause 2. I do not see any difficulty in adopting the principle adopted in Victoria. It has been tried, and has not been found wanting. It was tried in this colony in the Act which allowed every person who held a miner's right, and presented it, to vote. Why, Sir, that was complete manhood suffrage to a certain section of the residents of New Zealand, and it has worked satisfactorily. A person holding a miner's right never parts with it, as he secures by it certain privileges. He has the right to vote upon it. If the system were adopted, the whole of the provisions of the Registration of Electors Bill from the 5th clause might be swept away. The system in Victoria is this: When a man has been twelve months residing in the colony, he goes to the Registration Officer and says he wants his name put upon the roll—he wants to have his electoral right. The man's address, name, and occupation are taken down. If he gives a false address, or if he has not been living twelve months in the colony, he is liable to a severe penalty. If the Registration Officer entertains any doubt, he goes to the address given in order to satisfy himself, or he requires the applicant to bring two respectable householders to testify to the accuracy of his statement that he has resided twelve months in the colony. The electoral right is issued to the applicant, and his name written in a book. When an election takes place in the district, the electoral right is presented, and the vote is duly recorded. Electors are very careful of their electoral rights, and exercise them when any election took place. The same privilege might be given to the people of New Zealand. That would be an easy way of carrying out a great liberal measure. The troublesome and cumbersome method proposed in the Registration of Electors Bill would not give general satisfaction to the country. This Bill continues the very evil as to the registration of votes which has been so loudly complained of. When a person was objected to, instead of the objector being required to prove his case, the onus rested on the person objected to to prove that he was entitled to be on the roll. That is not fair. I know one instance where a single person objected to seven hundred names on the roll, and another case of one person objecting to three hundred names. The objector did not require to appear in the Revision Court. The persons objected to did not appear, and their names were struck

Mr. London

out. They did not even know that they had been objected to. It was only when they came to exercise their franchise that they discovered themselves disfranchised. We want to give manhood suffrage to the people of New Zealand, and until that is done we shall fail to carry out the great liberal measures of which we have recently heard so much. As regards the 2nd subsection of this clause, I object to fixing the period at twelve months. Taking the time that must elapse between the making of the claim and the name being enrolled, twelve months is too long. If you insist upon the twelve months it means virtually two years before an elector could be placed upon the roll. I think it is highly necessary to reduce the period to six months. I come now to the section applying to the Native race. The honorable member for Totara stated that we were striking the happy medium. The Natives are to have a distinct right of their own, and a distinct representation. The Natives say, and their advocates say, that they ought to have a dual vote. I do not object to the Natives having a vote for European members coming into this House; I would leave the Natives to make their own choice, and would put it in this way: Any Native who likes to be placed on the electoral roll under the Qualification of Electors Act can be put there, and when put there he forfeits his right to be a voter under the Maori Representation Act. If the clause were amended so as to carry out that principle the Native would know what he was doing. If he declined to exercise his right as a British subject by refusing to be placed on the electoral roll, then he could be placed on the Maori electoral roll. He should have the option given him, but should not have the two rights given him. These are the views I hold upon this question. I do not wish to deprive the Native race of any of the privileges they possessed in the past. We must take this fact into consideration: that there are Natives in the South Island quite as capable as any honorable gentleman in this House of taking part in public affairs, who speak our language, who can and do vote for County Councils, and take an interest in the affairs of their district. Those Natives should not be placed on the same footing as the Maoris in the far North, who to a great extent do not respect, revere, or conform to our laws. A large portion of them enjoy the same privileges as ourselves without paying anything whatever. They do not pay their portion of the local revenue of the country. We should leave it to the Natives to judge as to which franchise they will choose; but we have no right to give them the two franchises. I think this would prove a satisfactory solution of the difficulty. With regard to subsection (5), I feel as strongly as the honorable member for Napier (Captain Russell) upon it. It has been a vexed question with us on the West Coast—it has been a vexed question on every gold field—that aliens are not allowed the same privilege that we enjoy. I have always complained bitterly of this, that while these people are anxious, willing, and able to become citizens of this colony and subjects of Her Majesty, the machinery provided by the Legislature is so cum-

bersome and so expensive that they cannot take advantage of it. We practically force many of them to remain aliens at the present time. It costs £2 2s. or £2 10s. before any person can be naturalized. The law should be altered so that every foreigner could take the oath before the Registration Officer, and become naturalized and claim his electoral rights as a British subject. If that were done, there would be very few aliens in the colony. It is a disgrace to have that word on our Statute Book, and repeated so often in our local administration Acts. The aliens pay their proportion to the taxation of the country. The only way to remedy such a grievance is to simplify our law, so as to give to these people those privileges to which they are justly entitled, once they become British subjects. I cannot approve of the proposal of the honorable member for Nelson City (Mr. Pitt) to give the electoral franchise to the ladies, though I am very fond of them. The ladies are all very well in their place. I have always looked for arguments in this direction to come from bachelors, or from men who are married to strong-minded women. I certainly must say this: that if any assistance should be given in this direction it should be given by the present Government. We have no doubt that, throughout, the ladies have taken a very great interest in placing those honorable gentlemen on those benches. On the night when the late Government was overthrown, and when I was going along the lobby in a very bad humour, a lady coming down the stairs said, "Well, well, we have done it at last." At this I could but laugh, seeing that no lady had voted; but I suppose the "we" applied to her better-half, one of the late Government's most bitter opponents. As the ladies take such an interest in the present Government, no doubt they will assist the honorable member for Nelson City, and put in a clause giving the ladies the franchise; but I hope honorable members will, for their own good, not allow such a clause to be inserted in the Bill. All domestic felicity would be destroyed, once the ladies commenced to dabble in politics. Such being the case, I shall oppose any attempt made in the direction indicated by the honorable gentleman. I shall give the Government every support in carrying out the views I have expressed in regard to this Bill. The tone of the debate has certainly been very gratifying to me. I have been highly gratified with the logical arguments used by the Maori members. They very temperately and forcibly put their views before the House. I think the same feeling will prevail when the Bill is being considered in Committee; and that honorable members will assist in passing a measure that will give satisfaction to the country at large.

Mr. DE LAUTOUR.—I simply wish to say, though I do not desire to make a speech, that, in assenting to the second reading, I do not assent to the principle of this Bill in so far as it takes away the constitutional rights of the Maori people; nor do I hold that this House has the right or power to deprive one portion of the British subjects of this colony of their constitu-

tional right merely because of a difference in the colour of their bodies.

Major HARRIS.—I merely wish to say, Sir, that I shall vote for the second reading of the Bill. I object to the terms of the property qualification clause, because I think that if a person purchases property he has a right to have his name placed on the roll at once, irrespective of whether he may have resided in the country for six months. As to subsection (4), I am of opinion that the Maoris ought to have the same privileges as the Europeans. In any Acts which may be passed during the present session I shall object to any difference being made: the Maoris should receive the same consideration as Europeans. We ought to try to do away with the idea which is too prevalent in the country, that the Maoris are not as good as we are. During the late election campaign I informed my constituents that I should endeavour to have the Maoris treated the same as white men.

Mr. HALL.—I will not detain the House at any length in replying. The discussion has been, I believe, a satisfactory one. Various opinions have been expressed upon the principle of the Bill; we have had much criticism, but very little of a party character. It is satisfactory to my mind that the House, as a rule, has been content to consider this question upon its merits. I say "as a rule," because I am bound to notice that in one or two instances that course has not been followed. I do not willingly refer to the honorable member for the Thames (Sir G. Grey), but the part taken by the honorable gentleman compels me to make reference to him. The honorable gentleman criticised the Bill very freely, and spoke of our Liberalism as "sham" Liberalism. He told us that we were not, in this Bill, proposing to give effect to the liberal professions which we made on the hustings. I entirely deny that assertion. Speaking for myself and my colleagues, I say we have not failed to carry out any promises, but, on the contrary, the honorable member has altogether failed to make his practice agree with his speeches. He stated that this Bill will unduly increase the power of property. I heard that statement with the greatest possible surprise, I was going to say; but I have heard so many inconsistent statements from that honorable gentleman that it did not altogether surprise me. It has already been pointed out that the honorable gentleman in 1878 voted against a proposition to do that which he now blames us for not doing.

Hon. MEMBERS.—Voted for it.

Mr. HALL.—If so, I beg his pardon; but what did the Electoral Bill of the Government in 1878 propose? It made the property qualification larger than we are now proposing. But matters did not end there. During last session, the Government also introduced an Electoral Bill which provided, not only that every resident should have a vote, but that any man who was in any way whatever placed on the ratepayers' roll should also have a vote. Any person interested in property to such an extent as to entitle him to be placed on the rate-roll, in however many districts, was to be entitled to vote in such

districts—the very thing which he now denounces as an undue increase of the power of property. Only three months ago, that was the deliberate proposal of his Government; yet he now denounces us for a much more moderate proposal. What miserable inconsistency on the part of the honorable gentleman! But, further than that, when we came into office we found a Bill prepared by that honorable gentleman's Government, which we may be told was not definitely settled, but which contained this very ratepaying qualification. Every man having property which would require him to pay 6d. in the way of rates, in addition to the residential qualification, might vote in any number of districts in which he might be rated. That may not have been settled upon; but there was an alternative proposal which gave every man possessed of a freehold of the clear value of £50 a vote, in addition to a residential vote.

Mr. GISBORNE.—Has the honorable gentleman any right to quote from a paper not before the House?

Mr. SPEAKER.—It is the rule that an honorable member shall not quote from any document not before the House unless he be prepared to lay it upon the table.

Mr. GISBORNE.—I only raised the point because it is unfair. Those were merely proposals for the consideration of the Cabinet.

Mr. HALL.—I said so; but at any rate, the honorable gentleman will admit that there was no intention to depart from the principle laid down in their previous Bills, that, in addition to the residential qualification, property should be represented to some extent; and yet the honorable member for the Thames, being now out of office, when we make a much more moderate proposal, denounces us for unduly increasing the power of property. It is miserable inconsistency. The honorable gentleman then went on to verbal criticisms upon the Bill, and he said he had never seen a Bill drawn so loosely or so carelessly. When we come to consider a certain Bill which the honorable gentleman has introduced, I think the House will have a real specimen of loose and careless drafting. The honorable gentleman objected to the manner in which we propose to deal with the question of the Native vote; and that has been the theme of many speeches by honorable members who have followed him. No doubt this discussion arises fairly enough out of one clause in the Bill now before us. But I do not propose to go into that matter at present, for this reason: that I think the discussion will be more properly taken upon the question of the Maori Representation Bill. But I may say that, while honorable gentlemen have complained that this Bill deprives Maoris of rights possessed by the European inhabitants of New Zealand, they have ignored the fact that we have made what I consider liberal and ample provision for them in another Bill. That should not be lost sight of. I think it is unfortunate that the Maori members themselves appear to have been misled on this subject—appear to have been led to suppose we are taking away a right we do not amply compensate for in another way. If the Maori Repre-

Mr. De Lautour

sentation Bill had been translated into Maori, and had been put in the hands of the Maori members, they would not have fallen into that error. We do not propose in any way to put the Maoris in a less advantageous position than the Europeans; but what we do object to is the proposal made in a Bill of the last Government, to give the Maoris greater advantages than Europeans; and that we shall resist to the best of our ability, and, I believe, successfully. The Maoris have no claim to be put in a better position than the Europeans, but we shall endeavour to place them in as good a position. What the precise machinery may be for arriving at that result we cannot enter upon at present. We have prepared a well-considered proposal, which on another occasion I will introduce to the House; but I admit that it is a subject of very great difficulty. It is not possible to make any proposition to which serious objection cannot be taken; and we must be content to make that which is open to the least objection. A great deal has been said about the impolicy of giving property the amount of representation which we propose to give it in this Bill. One honorable gentleman went the length of saying that it is the custom to sneer at manhood suffrage. I have never, inside or outside this House, observed any disposition whatever to do so; but, on the other hand, I have found a great disposition to sneer at the idea of property having any rights. I am not stating anything here which I did not state on the hustings, when I assert that property should be represented in some way. It may or may not be a popular assertion to make, but it is my honest conviction that, while it is wise and politic that every man in the country should have a voice in the making of the laws he is called upon to obey, yet, if a man, by industry, thrift, and provident habits, has accumulated some property, and is called upon to make greater sacrifices in the way of taxation for maintaining the Government of the country than those who have not effected any saving, so it is only right and reasonable that those who make those sacrifices should have an increased voice in the government of the country. That is my conviction. I do not believe that the giving of a vote to the owner of freehold property of the value of £25 will practically make any large difference in the distribution of the voting power. It has been suggested, no doubt, that a man might expend £25 here and there for the purpose of getting votes. I never heard of anything of the kind having been done in this country yet. No doubt, in the Old Country, associations for political purposes may have done this; but I have never heard of anything of the kind being done here; and I am sorry to say that people do not take enough interest in politics to lead me to believe that such a thing would be attempted. I do not say that it would be a desirable result, but I regret the little interest people do take in politics.

An Hon. MEMBER.—Come to the West Coast.

Mr. HALL.—By the time this Bill goes into Committee, the views that have been expressed in regard to it will have been printed. It is

satisfactory that we have heard them, and, as a general rule, the objections have not been made from a party feeling. I can assure the House that the Government will deal with the question in that spirit. They will be content to discuss the question without reference to party. They are not going to recede from what they believe to be a right principle embodied in the Bill; but they have no doubt that, from the opinions expressed, we shall arrive at a wise, safe, and satisfactory solution of this question, and be able to mature a measure which shall settle that which has been a source of disquiet in the past, and which it is exceedingly desirable should now be settled, if not once for all, at any rate for many years to come. With these remarks, I beg to move the second reading of this Bill.

Bill read a second time.

REGISTRATION OF ELECTORS BILL.

Mr. HALL, in moving the second reading of this Bill, said the Maori Representation Bill was one which would necessarily give rise to considerable discussion. He thought it was upon that Bill that the question of how the Maoris were to be represented should be argued and settled; and therefore he should not ask the House to take the second reading of that Bill before Tuesday. He agreed with the statement that the consideration in Committee of the Qualification of Electors Bill, which the House had just read a second time, ought to be postponed until they had settled what should be done with regard to the Maoris. But with respect to the other Bills, he trusted the House would be ready to read them a second time that night. They were, after all, to a very great extent matters of detail, which honorable members ought to discuss in Committee, and need not spend too much time in discussing on the motion for second reading. He would now proceed to move the second reading of the Registration of Electors Bill. This was a Bill to his mind of greater importance than the Bill they had just read a second time. He had said over and over again that the reason why a considerable proportion of the adult males of this colony had not been placed on the electoral roll was not because the franchise did not entitle them to have their names placed on the roll, but because the machinery for doing so was troublesome. An elector had, at a specified time of the year, to send in a claim in a certain form, to give certain particulars of his claim, to have it attested in a certain way, to be delivered at a certain place, to a certain officer; and, unless he complied with every one of those requirements, his claim fell to the ground, and his name was not placed on the roll. The result of this system had been that a great number of persons who were qualified were not placed on the roll; and he was afraid that, unless some considerable change in the mode of preparing the roll was introduced, a large number of those who were entitled to vote would still have their names left off the roll. The Government proposed, therefore, to entirely alter the manner in which the roll was to be made up. They proposed to adopt the principle which was followed in the Old

Country. In each electoral district, there would be a Registrar whose duty it would be to see that every man in that district who was entitled to be on the roll was put upon the roll. The roll would not be made, as by law was now required, at any particular time of the year. It could be completed and added to from time to time on its being ascertained that persons existed whose names ought to be added to the roll. A Registrar under this Act would have to form a new roll after the Act came into operation, by placing thereon the names of all persons qualified to vote; and from time to time he would have to make the rolls as complete as possible, by adding the name of every person who became qualified as an elector. The Government did not propose that the roll should be advertised, but they proposed that it should be open for inspection on two days a week, in an office which would be advertised as a place in which the roll was open for inspection. The Government believed that that would really provide a greater amount of publicity than the present system of advertising the rolls for a couple of days a year in a newspaper. If any person was not put upon the roll by the Registration Officer, the Bill provided machinery by which he could make a claim, and, if the officer was satisfied that the claim was a good one, he could put the name on the roll at once. If not satisfied, he could decline, and then the claim would be tried in the Resident Magistrate's Court. It would also be the duty of the Registration Officer from time to time to purge the roll—to object to any person who was no longer entitled to be there; and, if that person did not admit the objection, the case would be heard in the Resident Magistrate's Court. The roll would be printed, and, whenever one hundred additional names had been added in manuscript, it would be reprinted. He thought that would be a system under which practically—he did not say every man who was entitled to be on the roll would be there, but—a very large proportion of those who were not on the roll at the present time would be added to it. It might be objected that it would be an expensive system. He had not been able to get an exact return yet of the amount spent under the present system in advertising claims and objections to vote, and in a variety of other advertisements which had to be published as the law now stood; but, from the information he had, he believed the expense which would be incurred by the appointment of additional Registration Officers would be smaller than was now incurred for advertising. He believed, therefore, that they would not only have a very much more efficient system, but a much more economical system. That was an outline of the scheme which was embodied in this Bill, and which he believed, if adopted, would prove a very great boon indeed to the electors, and would be, in fact, a much more efficient and liberal measure than almost any of the others which had been submitted. He begged to move the second reading of the Bill.

Colonel TRIMBLE said perhaps the Premier would allow him to call his attention to what seemed to be an omission. He thought a Schedule

Mr. Hall

should be added to the Bill containing a form of the objection to the claim, or to the name on the roll, and also a Schedule giving a form of the roll, with the name, address, and so on.

Mr. SEDDON, referring to the 6th clause, and to the fact that the miner's right franchise was to be abolished, said that the miner should be able to present his miner's right to the Registration Officer, and be enrolled, the same as any other person on the present roll. The Government did not seem to have dealt fairly with the miners in this respect, and he drew their attention to the matter now, in the hope that an alteration might be made in Committee. There was also another point: The Premier stated it was only intended to have one office in each electoral district. That in itself would be a very great injustice. In some parts of the country, and especially where he lived, and at Jackson's Bay, the necessity for going through the different forms required by this Bill and sending in claims would have the effect of disfranchising two-thirds of the electorate. He hoped the Government would adopt the system which existed in other places—namely, that the Clerk of the Resident Magistrate's Court, or the Clerk of the Warden's Court, should be authorized to act as Deputy Registration Officer, and issue electors' right. He could then forward the returns every month to the Chief Registration Officer. The Premier also mentioned that from time to time the people would be put upon the roll, and the roll after that would be published. The first subsection of clause 24 said, "At any time thereafter, whenever not less than one hundred names are added to any roll." Therefore it would happen that, until a hundred applications had been sent in, the claims to vote would remain unregistered, and the persons would not be placed on the roll. There might at the time of an election be ninety-nine such persons, because the roll could not be completed up to the very day of the election—some specified date would have to be fixed for its being printed. If this clause were retained the roll would not be printed until the number of a hundred was reached. Then, again, there was still an injustice as regarded the responsibility that would rest upon the Registration Officer. As there was only to be one such officer in a district, no matter how large, it was not desirable to place in his hands such an arbitrary power as the one proposed. If the view he had advocated of having various Registration Officers in the ridings of counties and in the Wardens' districts were adopted, there would then be a better opportunity of judging whether the applicants were entitled to be enrolled or not than would be the case where there would be one individual for a large district deciding upon claims coming from a considerable distance. This Bill was very cumbersome, and should be curtailed very much in Committee. In fact, he would be very much mistaken if, when the Bill emerged from Committee, it had half the number of clauses it contained at present.

Mr. HISLOP would point out to the honorable gentleman in charge of the Bill that there did not seem to be a sufficient connection between this Bill and the Qualification of Electors Bill.

He was aware that under the Regulation of Elections Bill there were other provisions; but in that Bill it was stated, "Any duly-registered elector may be nominated as a candidate." There was no interpretation of what a "duly-registered elector" was, and under the Qualification of Electors Bill there was nothing to meet the case, nor was there in the Bill now now before the House. He was only speaking from a cursory glance over the Bills, but he would just draw the honorable gentleman's attention to this, in order that he might see if it required a remedy.

Mr. GIBBS thought the remarks of the honorable member for Hokitika (Mr. Seddon) were much to the point, and he (Mr. Gibbs) trusted that the Premier would see his way to introduce some provision by which the miners, whose miner's-right franchise they were proposing to abolish, might be treated in the same way that ratepayers were treated at present, whose names were forwarded to the Registration Officer by the secretaries of the local bodies. If the Wardens on the gold fields were bound, in the same way, to furnish to the Registration Officer a list of the holders of miners' rights that had a currency of six months, it would remove the difficulty pointed out by the honorable member for Hokitika.

Bill read a second time.

REGULATION OF ELECTIONS BILL.

Mr. HALL, in moving the second reading of this Bill, said it would not make much alteration in the existing law. Perhaps, at that late hour, it might be sufficient if he pointed out the principal alterations it would make. In the first place, by the 10th clause, it was proposed to abolish the old fashion of a nomination at the hustings by a proposer and seconder, and to provide that a qualified person desiring to become a candidate might nominate himself by a nomination paper sent in not less than seven days before the day appointed for the poll. If he did that, however, he would be called upon to deposit £10, so that the country should not be put to the expense of a contested election unless there was some reasonable ground for it. The £10 would be returned to him if he polled not less than fifty votes—if his nomination was not merely a proceeding under which the country would be put to the expense of an election in which the self-proposed candidate had no reasonable chance of success. This provision was borrowed from the electoral law of a neighbouring colony. There was a further provision that a candidate might be nominated for any district by ten electors who signed a nomination paper. In that case, no deposit money would be required. The Bill provided that the nominations should be advertised immediately, and that the election should take place much in the manner in which it took place at present. The Bill was to a great extent a reprint of the present Regulation of Elections Act. It contained one alteration which had been desired for a long time, and which he thought was a very valuable alteration: it extended the polling-hours until six o'clock in the evening. It did not contain a clause, in favour of which there was no doubt a great deal to be said, by which, in

constituencies that returned more than two candidates, provision was made for the representation of minorities. It would be for the House to consider whether, in large constituencies, it would be desirable to make some provision for the representation of minorities, by giving, in such cases, each elector one vote less than the number of candidates to be elected. He begged to move that the Bill be read a second time.

Mr. SAUNDERS was sorry to interrupt the passing of this Bill, but he could not allow such a measure to be read a second time without entering his protest against the abolition of the old-fashioned public nomination. In this he was sure they were taking a step in the wrong direction. The fact was, they were too fast in following England without having the 'advantages England had which had justified her Parliament in doing away with public nomination. As he said when the Bill of 1878 was brought in and the same proposal was made by the late Government, he was quite certain that they were depriving the people of the colony of a great public opportunity of expressing their opinion, and they were also depriving them of the advantage which they had of learning, very frequently, what their candidate was by the character of the men who proposed and seconded him. He objected altogether to private proposals. He had supported the ballot and was glad we had the ballot, but the fewer persons there were in the community who wished to avail themselves of that ballot the better. He trusted there would always be found a large number of persons in every English-speaking community who would not be afraid to let people know whom they supported, how they voted, and what reasons influenced them in their vote. He had said that they were imitating England without England's advantages. Nothing would be more misleading than to suppose that they had such a Press here as existed in England. Look at the character of many of the papers that were published in this colony, and the small considerations that would induce them to support or oppose a candidate or a party: look at the character of the Wellington papers which they read every morning and evening, and let any man say whether they were going to learn the truth from them, and whether there was not a pressing necessity for a public nomination when both sides must be heard in the presence of each other, and when the candidate must express his opinions in a manner that would place them on record. He thought they were taking a step in the wrong direction. He knew, by the voting last year upon this subject, that he would be outvoted; but he maintained that they would live to repent the day when they abolished what he considered a great piece of national education, and a great piece of security for national liberty—for the full and free expression of opinion. It had been said that, because they had the ballot, they should abolish the public nomination; but, while he admitted that the ballot was a necessary evil for the protection of people who had not sufficient public spirit to express their opinions, he trusted there would long be a class of people who would not be afraid to express their opinions, and that the

House would give them an opportunity to do so. They had often heard a great deal about public nominations being opposed to the spirit of the ballot; but the spirit or want of spirit that made the ballot necessary was a thing to deplore and discourage, not a thing to cultivate and aspire to.

Mr. SPEIGHT thought it sufficient to say that he indorsed the remarks of the honorable member for Cheviot in regard to public nominations. In reference to the money deposit, he would suggest to the Premier that, instead of fixing upon an arbitrary number of votes which an unsuccessful candidate should poll in order to "save his stakes," it would be better to say that he should poll a certain relative proportion to the number of votes cast for the successful candidate. He would also suggest, in substitution for the proposal made by the Premier that they should bring in some sort of approximation of Hare's system for the representation of minorities, that he should provide in the Redistribution of Seats Bill that no constituency should have more than one member. The petition presented to the House this session against two members for supposed illegal practices had been rejected simply because the Election Petitions Act did not contemplate that there should be two members sitting for the one district. If that principle had been in existence, there would have been no necessity for throwing out that petition.

Mr. GEORGE wished to draw attention to one matter which was a source of annoyance to electors throughout the colony, and that was the placing of a number on the ballot-paper, which led to the impression that the ballot was not secret, and that it was possible to discover the way in which they voted. He was well aware himself that there was no chance of that being known, but still it would be an improvement if some plan could be adopted for dispensing with the numbering of ballot-papers. He could not agree at all with the honorable member for Cheviot. He thought the principle of vote by ballot had entirely done away with the necessity for public nomination. The show of hands at the nomination showed how people were going to vote, and if the ballot was to be carried out in its entirety public nomination ought to be abolished.

Mr. TURNBULL agreed with the honorable member for Rodney that the public nomination should be done away with. He admitted that the addresses delivered during the canvassing were a means of educating the people, as was pointed out by the honorable member for Cheviot; but still the honorable member overlooked the fact that that education was extensively carried on at the meetings held previously to the nomination. In election times the candidates went round the district and expressed themselves very fully—so fully, indeed, that it usually happened they had nothing new to say on the nomination-day. He (Mr. Turnbull) quite agreed with the honorable member for Rodney that the show of hands was contrary to the spirit of the ballot, and that the private nomination was a much quieter and more desirable process.

Mr. SEDDON strongly approved of the old system of public nomination, which was most de-

sirable in the interests of the Returning Officer. He found, by the 11th clause of the Bill, that the Returning Officer had to advertise the day for the receipt of nominations in the paper which had the greatest circulation in the district. That would place the Returning Officer in the position which the Government occupied, and would lay him open to the accusation that he inserted the advertisement in the paper which had not the largest circulation: so that he really would be placed in a false position. The system of public nomination gave everybody a fair start; and there was no possibility of a nomination arriving too late, as would very likely happen in many cases under the system of private nomination. Public nomination was the fairest and best system.

Mr. GIBBS agreed with the honorable member for Rodney as to the feeling that existed in the minds of the electors with regard to the numbering of the ballot-papers. So strong was this feeling that in many cases voters who went to the polling-booth refused to vote when they found that the ballot-paper was numbered, because they believed that the direction in which they voted would afterwards become known. He would make a suggestion, by which he thought this difficulty could be got over. It was this: that the edge of the corner of the voting-paper should be gummed, so that it could be turned down and secured after the number was written on it. It would still be left sufficiently open so that the corner could be opened and the number seen afterwards if required. The voter would then feel that nobody could possibly see how he voted, except in the case of official inspection should such inspection become necessary.

Mr. PYKE did not think the suggestion of the honorable member for Collingwood at all a desirable one, because, unless the Returning Officer was quite satisfied that there were no papers in the ballot-box except those which ought to be there, it was impossible that he could tell whether the election was fair or not. As an old Returning Officer, he was aware that the object of the numbering was to prevent persons putting in ballot-papers which they might have obtained by indirect means, so as to stuff the ballot-box; and, unless the numbers were put on, that could be done: it had been done in other countries. As to telling how a man had voted, there was no possibility of telling that, unless the Returning Officer turned over every paper when he was counting up the votes at the end of the poll; and he was not likely to do that. There could be no disclosure of the manner in which any elector might have voted. He had only one or two remarks to make in regard to the Bill itself, and he must say that he thought the nomination clause one of the wisest provisions that could possibly have been inserted. The public nomination had become an absolute and utter farce since the ballot had been instituted. Half a dozen people met at the door of the Courthouse; the candidate said as few words as he could, knowing that the whole thing was a farce; and he met the electors in those parts of the electorate where he thought it desirable to do so. There were no hustings speeches

Mr. Saunders

at the present day, such as the old hustings speeches that used to be delivered at Home. The crowds were not assembled, and the speeches were not made: that was his experience, which extended over a large number of years. There was one suggestion thrown out by the honorable member for Auckland City East which he would ask the Government seriously to consider before they brought in the Bill for the redistribution of seats. He had over and over again urged, both inside and outside the House, that, so long as duplicate and triplicate votes were given to the electors there could be no fair representation in the House. He was prepared to say that, in all the large town electorates, such as Christchurch, Dunedin, Wellington, and Auckland City West, where there was more than one member voted for by the electorate, the minority returned the member to the House, and the majority was not represented at all. There was a return which ought to have been laid before the House prior to this. He had in his hand a copy of the return, which would prove everything he said in connection with the matter; and he would take the case of Dunedin, not because he wished to make any invidious remarks, but because he knew more about that constituency than about the others. There were three members to be returned; there were 3,862 voters on the roll; and the number of votes recorded for the three members amounted to only 2,116, of which a great number were duplicates, and a larger number were triplicates. The whole went to show that, after all the talk about the serfs in the country, and the number of persons deprived of votes, only about 66 per cent. of the electors took the trouble to vote at all. He knew that many people would really sooner be without a vote than be bothered when an election was coming off. Then, in respect to giving three members to Dunedin, three to Christchurch, and two to Auckland City West, and so on, it would be a far better way to divide them up into separate electoral districts, and then the people in each electoral district would vote for one member, and members would not creep into the House as the fleas did into the ark, upon the backs of the monkeys. The matter was very important, and he would ask the Premier to consider it before he brought down his Redistribution of Seats Bill. He would also like to call the honorable gentleman's attention to section 14. That section provided that, in the case of death before the poll, the proceedings were to commence *de novo*. That was to say, if there were six candidates, and one had the bad taste to die, the other five would be thrown back, and would have to commence all over again. He could not see the reason for that. These were all matters which it would be well to consider before the Bill went into Committee.

Colonel TRIMBLE said honorable members seemed to be very much afraid of the numbering of ballot-papers; but, considering the end to be gained, he did not know of any other mode by which that end could be attained. The difficulty might, however, be got over to a great extent if the practice in England were pursued here. Here the practice was to count the papers in each box separately. If there were four or five polling-

places, the Deputy Returning Officer at each place had the papers counted in the box there. At Home that was not permitted. The boxes were all sealed up in the presence of the representatives of the candidates, and sent to the central office, where the Returning Officer was. There the whole papers were taken out and mixed together before any examination took place, and before they were counted. In that way the evil which some people see in marking the numbers on the ballot-papers would be diminished.

Mr. ANDREWS must reply to the remark made by the honorable member for Dunstan with regard to the number of persons entitled to record their votes and those who actually voted. He had taken a great deal of trouble to ascertain the figures in Christchurch, and he found there were 4,212 names on the roll, and that out of these only 2,500 voted. But, from his own personal knowledge, he could say that there were something like 700 persons on the roll who had no right to be there. It was really the imperfections in the rolls, and not the fact of the people not taking an interest in the election, which made the difference. Taking the 700 and the 2,500 from the 4,212, there were about 1,000 left, and 500 or 600 of those could be accounted for by their being out of town on the day of the election. If the system of rolls was continued, the rolls should be correct; but he hoped a time was coming when some better method would be adopted. He would also suggest a better system in conducting the ballot. Instead of the miserable soft paper which was now used, why not use a clean card, on which the number could be put just as well? From the remarks made at the Christchurch election, the present plan appeared very bad. The voters had the hardest of hard pencils supplied, and in striking out the names they could not help cutting through the paper. The pencils, too, were called red, but were so bad one could get no mark out of them. Another advantage in using the cards would be that the result could be arrived at much more quickly. He could not hinder the second reading of the Bill, but there were many points in it that he would object to in Committee.

Bill read a second time.

CORRUPT PRACTICES PREVENTION BILL.

Mr. HALL, in moving the second reading of this Bill, said it did not make much alteration in the law as it stood at present. It prohibited receiving or giving any money for a vote, or giving or making any promise of any office or place for a vote; and it provided that any person convicted of any of these things should be guilty of a misdemeanour, for which he should be liable to a penalty of £100. It left the existing provision with regard to "treating" on the day of election the same as it was. It made personation felony, and prohibited the use of any distinguishing banners, or party emblems, or bands of music, on the day of election. The 6th clause contained a new provision, which was rather peculiar, and to which he ought to call attention:—

"Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of or threaten to make use of any force, violence, or restraint, or inflict or threaten the infliction, by himself or by or through any other person, of any injury, damage, or loss, or in any other manner practise intimidation upon or against any person, in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election, or who by abduction, duress, or any fraudulent device or contrivance shall impede, prevent, or otherwise interfere with the free exercise of the franchise of any elector, or shall thereby compel, induce, or prevail upon any elector either to give or to refrain from giving his vote at any election, shall be deemed to have committed the offence of undue influence, and shall be guilty of a misdemeanour, punishable by fine and imprisonment, and shall also be liable to forfeit the sum of fifty pounds to any person who shall sue for the same, together with costs of suit."

He begged to move the second reading of the Bill.

Bill read a second time.

ELECTION PETITIONS BILL.

Mr. HALL, in moving the second reading of this Bill, said it was one which he hoped would be welcomed by the House and the country. It provided that the House should divest itself of the constitutional right it possessed to try election petitions. This would be following the example recently set by the Imperial Parliament. If this Bill passed, an election petition would have to be presented to the Returning Officer of the district within twenty days after he had declared a person elected. The Returning Officer would forward the petition to the Chief Justice, whose duty it would be to appoint a Judge of the Supreme Court by whom the petition should be tried. The Government had at first some doubt as to who should make this selection, but they thought it better not to leave it to the Governor, as he would, of course, be advised by his Responsible Ministers; and therefore they had named the Chief Justice. The trial would take place in the district itself, which would much reduce the expenses, as witnesses would not have to be brought from a distance to Wellington. On the termination of the trial, the Judge would certify to the Speaker his decision, and it would be final. Then the House would cause the writ to be amended, or a fresh writ issued, as circumstances might require. He thought it would be a great advantage to the country to have these cases remitted to a tribunal with regard to whose impartiality there could be no question—a tribunal accustomed to weigh evidence, and able to take for its guide precedents which were now being established in England, and which would be very useful.

Mr. MONTGOMERY thought this Bill was one of great importance, and honorable members should have more time to consider it. It changed the course of procedure, took the power out of the hands of the House, and gave it to a single

Mr. Hall

Judge. In England, he believed, they had now provided that there should be two Judges, who must be unanimous. He thought the second reading should be postponed for a few days.

Mr. HISLOP did not agree with the honorable member for Akaroa as to the great importance of the Bill, or the length of time necessary to debate it. But there were two things in the Bill which he did not agree with. It was wrong in principle to allow the Chief Justice to choose out of the different Judges one to hear the case. He did not see why there should be any difference in respect to election petitions. Unlike the Home-country they had here only one Judge for each particular district. He did not see why the Judge in the particular district where the petition arose should not be the Judge to try it, as in other matters. There was another point. He was sufficiently old-fashioned to believe that matters of fact which involved the character of a person, or involved punishment upon him, should be found by a jury. He hoped the Bill would be amended so that, while the Judge should decide as to law, a jury should find the facts. This departure from the jury system had not been a happy one at Home, and he did not think it would be a happy one here. With these exceptions he thought the Bill would be a satisfactory one.

Mr. PYKE was surprised to hear the honorable member for Waitaki state the Bill was of no importance, and immediately afterwards point out two matters of very grave importance. He was not prepared to assent to the honorable member's totally different scheme of trying the petition with a jury. He would direct the attention of the Premier to another serious matter. If he meant to render justice both to candidates and electors, he must extend the provisions of the Bill, and enable Judges of District Courts to try petitions. If he did not do so, it would be impossible to try an election petition in the district in which it arose. In his own district the witnesses, petitioner, and elected member would have to travel 140 miles to get to the nearest Supreme Court. No one would dare to petition unless he was a very wealthy man, and only a wealthy man could afford to defend his seat. It could not be supposed that the Supreme Court would go up to that remote district to hold an inquiry. Unless the alteration he suggested were made, he would not be prepared to vote for the third reading of the Bill. He agreed it was desirable that the House should divest itself of the power to appoint Election Petition Committees. He never regarded them as anything more than a trial of strength between parties. He would move the adjournment of the debate, as he believed it would really facilitate business.

Mr. MOSS would like to make another suggestion. In cases like these, in which great public interest would be felt, it was desirable that another innovation should be introduced, and that the evidence should be taken by shorthand writers, or in writing by affidavit. If such a practice were adopted, the work would proceed much more rapidly, and there would always be a fuller record of the proceedings than could be

obtained by the ordinary practice of the Judge taking the notes himself.

Mr. HALL thought they should read the Bill a second time, and, as it would be some days before it was committed, the various suggestions could be fully considered.

Motion for adjournment of debate negatived, and Bill read a second time.

TRIENNIAL PARLIAMENTS BILL.

Mr. HALL moved the second reading of this Bill.

Mr. PYKE did not approve of this Bill. It would have the same effect in New Zealand as a similar measure had in England, where it was once in operation for a lengthened period of time. It would shut out of Parliament all but the wealthy classes. Honorable members would find by-and-by that the poor man's friends were not genuine. He had, however, promised to vote for it, and would do so.

Mr. BRANDON said that, as had been observed by the honorable member for Dunstan, a similar Bill had been tried in England, and had been found very detrimental. He liked to gain by the experience of our forefathers, and he would read the recital to the Imperial Act, which he thought would be found very much to the point:—

"Whereas in and by an Act of Parliament made in the sixth year of the reign of their late Majesties King William and Mary, intituled 'An Act for the frequent Meeting and Calling of Parliaments,' it was enacted that from thenceforth no Parliament whatsoever that should at any time thereafter be called, assembled, or held should have any continuance longer than three years only at the farthest, to be accounted from the day on which by writ of summons the said Parliament should be appointed to meet: And whereas it has been found by experience that the said clause hath proved very grievous and burdensome, by occasioning much greater and more continued expences in order to elections of members to serve in Parliament, and more violent and lasting heats and animosities among the subjects of this realm, than were ever known before, the said clause was enacted," &c.

Seeing the evils which short Parliaments had brought about in England, he was bound to say that he could not approve of this Bill.

Mr. MOSS said the honorable member would find that the first Triennial Act in England was passed in 1640, and by one of the most popular Parliaments which ever sat in England. When Charles II. began to reign, it was found expedient to repeal that Act, and one Parliament sat for seventeen years. In William and Mary's time triennial Parliaments were restored, and they lasted twenty-five years, to the great satisfaction of the whole country. In the reign of George I. there was great agitation in England, and the great mass of the people were against the reigning dynasty. When the Parliament expired Government did not like to face a general election with the country in a state of agitation. Parliament decided that it should sit for four years longer; and that thereafter seven years

should be the period of Parliaments in England. It was a fact, however, that Parliaments in England did not sit for seven years, but were always dissolved before that time. In this colony the statutory time fixed for the duration of Parliament had never been interrupted by a dissolution until recently. Triennial Parliaments were especially necessary in this colony, because dissolutions were very unusual, and because they would decrease very much the power of the Ministry to do what they liked, as they would not be able to hold over Parliament the threat of a dissolution, which threat had been often used in the course of our history. He could not conceive how it could be said that this would not be a popular measure. No doubt, personally, they would prefer to see themselves sitting for ten years, or as long as they liked; but he apprehended the question was not one of personal convenience, but of public good. It was because he had a very strong feeling that it was for the public good that they should not be placed beyond the reasonable control of their constituents, that he would earnestly support this Bill.

Mr. ANDREWS said that he had on a previous occasion stated that he would not support this Bill until the Qualification of Electors Bill, the Registration of Electors Bill, and the Regulation of Elections Bill, altering the hours of polling, had been carried. Those Bills had now passed their second reading, and he saw that there was a likelihood of the other measures being brought forward. Since they had the assurance of the Government and the House that these other measures would be passed, it was no breach of faith on his part to state that he was willing to assist in passing the second reading of this Bill. He would like to ask the Government when the House might expect to have the Redistribution of Seats Bill.

Mr. HALL was not able to answer the question positively. The Government were now engaged with their financial measures; but the House might rely that it would not be kept waiting unnecessarily.

Mr. TURNBULL would like to know if it would be brought down this session.

Mr. HALL would refer the honorable gentleman to the Ministerial Statement which the Government had made on the subject. They would not deviate from that Statement.

Mr. LUNDON did not approve of this measure. It might suit the centres of population in the towns, but it would not answer in the large country districts, where there were no roads or accommodation for persons canvassing during an election. People in those districts would not care to come into the House if a measure of this sort were passed. The East Coast District could not be gone over under an expenditure of £150. In the district he represented there were three large counties, and no one could ride round them. It would cost the member for Marsden District £1,000, and £600 to canvass the whole of the Rodney District. It was a farce to call this a liberal measure. The Onehunga District, represented by Mr. Speaker, could be travelled over in four hours. If the Government desired to act

in a liberal spirit, they should bring in one Bill for the country districts, and another for the towns. Legislation seemed to favour the large towns, while the country districts were not considered.

Bill read a second time.

The House adjourned at twenty-five minutes past twelve o'clock a.m.

LEGISLATIVE COUNCIL.

Tuesday, 4th November, 1879.

First Reading—Second Readings—Reprint of Statutes—University Reserve, Tauranga—Timaru County—West Coast Maori Disturbances—Local Bills—University Reserves—Paramene to Oneone v. Kinross—Imprint Supply Bill (No. 3)—Hawke's Bay and Marlborough Rivers Bill—University Reserves—Awatere Shearing Reserve Bill—Lunatic Asylums.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

Napier Swamp Nuisance Bill.

SECOND READINGS.

Intercolonial Probate Bill, Leases and Sales of Settled Estates Bill, Fencing Bill, Gaming and Lotteries Bill.

REPRINT OF STATUTES.

The Hon. Mr. G. R. JOHNSON asked the Hon. the Attorney-General, Whether it is the intention of the Government to introduce a Bill this session to amend "The Reprint of Statutes Act, 1878," in accordance with the suggestion of the Commissioners, contained in their interim report presented to both Houses of the General Assembly during the last session of the last Parliament? Under the Reprint of Statutes Act of 1878 a Commission was appointed for the purpose of preparing a new edition of the public general Statutes in force in the colony. That Commission had made some progress in its work, and during last session a report drawn up was presented, in which the Commissioners pointed out that if they had a certain extension of powers they would be able to do work which would be much more serviceable to the colony than otherwise. They suggested that an Amendment Act should be introduced giving this power, and he wished to know what the Government proposed to do in connection with the recommendation.

The Hon. Mr. WHITAKER said the matter had been under the consideration of the Government, and, as Mr. Justice Johnston was expected in Wellington in the course of a few days, he (Mr. Whitaker) proposed conferring with him and other members of the Commission on the subject.

UNIVERSITY RESERVE, TAURANGA.

The Hon. Mr. MILLER asked the Hon. the Attorney-General, If the Government will take steps to replace the endowment of 20,000 acres at Tauranga, originally included in the Schedule to "The New Zealand University Reserves Act,

Mr. London

1875," but eliminated on the ground that the land had been appropriated for another purpose? He had no doubt the Hon. the Attorney-General was aware that this reserve was originally included in the Schedule to the New Zealand University Reserves Act of 1875. It was eliminated, he believed, by this Council, because the Hon. the Colonial Secretary stated that the land had been appropriated for another purpose.

The Hon. Mr. WHITAKER said that under the original Act of 1865 10,000 acres of land was set apart, and subsequently 20,000 acres was got rid of owing to the action of the Council; but 30,000 acres had been set apart as an endowment for the University, and the Government did not propose to replace the 20,000 acres referred to which had been taken away.

TIMARU COUNTY.

The Hon. Mr. ACLAND asked the Hon. the Attorney-General, Whether the Proclamation, dated 2nd October, 1879, constituting the new County of Timaru, will, under section 15 of "The Counties Act, 1876," come into force at the end of the present session of Parliament unless a resolution is passed by both Houses of the General Assembly to the effect that such new county shall not be constituted? He had been led to place this question on the Order Paper owing to his having serious doubts as to the construction to be placed on the 15th section of the Counties Act, which provided that a copy of every such Proclamation should be laid before Parliament within ten days after its next "sitting" after the issue thereof. The next sitting-day would have been the 7th October, but the question was as to whether the words "next sitting" meant the next sitting-day, or had reference to a session of the Assembly.

The Hon. Mr. WHITAKER said a difficulty had arisen as to the meaning of this clause in the Counties Act. As to whether "sitting" and "session" were synonymous terms, the Government had had the matter under consideration, but had been unable to come to any conclusion, and the matter could only be determined by a Court of law.

WEST COAST MAORI DISTURBANCES.

The Hon. Mr. G. BUCKLEY asked the Hon. the Attorney-General, What is the amount of extra expenditure per month now being incurred in the West Coast District in consequence of the Maori disturbances there; and the number of Armed Constabulary, also Volunteers, receiving pay or allowances from the Government in that district?

The Hon. Mr. WHITAKER said the extra expenditure was £5,600 per month. The number of Armed Constabulary employed was 662. No Volunteers were being paid, but about £60 a month was paid for the expenses of instruction to the Volunteers in the district.

LOCAL BILLS.

The Hon. Captain BAILLIE, in moving the motion standing in his name, said there was more importance to be attached to it than might at first

sight appear, and there had been a great deal of discussion and difference of opinion on the matter in the Standing Orders Committee, the outcome of its deliberations being this report. As honorable members were aware, since provincial institutions had been abolished a large number of local Bills had been brought up to the Council, which, under the old system, would have gone to the Provincial Councils, where they could more easily be looked closely after, owing to the local knowledge of the members of those bodies. Here, as members came from all parts of the colony, the Bills could not be so well looked after; and therefore, a session or two ago, the Council, seeing the importance of the question, appointed the Standing Orders Committee to draw up a certain set of rules to regulate the dealing with these Bills. They did so; but these rules were not brought into force until last session. He was sure the Council would thank the Local Bills Committee for the trouble they had taken in connection with this matter. No doubt this motion would raise a good deal of discussion, and he could only regret that the Hon. Mr. Menzies, who took a great interest in the subject, and, indeed, had a notice of motion on the Paper relating to it, was not present.

Motion made, and question proposed, "That the Standing Orders relative to local Bills be amended (1) by omitting the words 'and, if so,' in lines 8 and 9 of section 2, and by adding the words 'and, if so, further to report generally on the merits of the Bill,' at the end thereof; (2) that section 4 be amended by omitting the words 'four times,' in the sixth line, and inserting in lieu thereof the words 'once a week.'" — (*Hon. Captain Baillie.*)

The Hon. Mr. MANTELL said the Hon. Captain Baillie had put the question fairly to a certain extent. It was alleged that since the abolition of the provinces a great many more Bills relative to local subjects had been brought before the General Assembly than had been brought before the Legislature previously. He was not prepared, without more careful comparison than he had yet been able to institute, to say whether such was the case or not; but it appeared to him that there was very little difference. There was, however, no doubt that in the Provincial Councils there were plenty of gentlemen who knew all about these matters, and saw that they were discussed properly; and, in order to meet the want of local knowledge, the Council did pass certain Standing Orders, so as to insure that certain notice should be given before any local Bill could be placed in the position to be discussed in the Council; and the Local Bills Committee was appointed for the purpose of looking after that point, and that point only. But unfortunately this difficulty had arisen: that a Standing Order had been passed, and had to a certain extent been put into operation, when it was found that due notice had not been given to the public of the passing of such a Standing Order, and therefore it was considered that it would be unfair to insist upon the public complying with a Standing Order of which it had no knowledge. However, there was a Local Bills Committee, to

which were referred all local Bills after their first reading, and the Committee unfortunately went into matters of investigation with regard to the Bills in a way that was not in accordance with parliamentary practice, and which matters were never entered into with regard to such Bills except on the second reading. The operations of this Committee, as they had interpreted their duty, had to a great extent ousted the duties of other Select Committees during last session; and no doubt the Committee had received great credit for it, since it had relieved the members of other Committees from a certain amount of trouble. The course taken by the Local Bills Committee had amounted to this: that, when a Bill came up for second reading, it had already been discussed, amended, and improved by a Committee consisting of the most powerful members in the Council; and, although the Bill was still liable to be discussed, it was not easy to get up a free discussion on the second reading, because, if any member raised objections, other honorable members would always rise and say, "The Local Bills Committee have given full attention to this. They have taken a great deal of evidence, and the clause in the shape in which it now stands is the result of their labours. You should not make use of them unless you pay some attention to their decision." The Council was practically debarred from acting freely; and the result was, that legislation on local Bills was the legislation of the Select Committee alone. He, for one, was not satisfied with that. He did not like to see an assumption of power by any Committee beyond the powers intrusted to that Committee by the Council. However industrious a Committee might be, and however able in the exercise of its powers, still it was a wrong thing to exceed those powers. He objected to it mainly on the ground of the bad precedent it set, because he observed that the Council—no doubt very properly—would not readily hereafter depart from a precedent once affirmed. It was very dangerous to put so much power in the hands of this Committee, especially in view of the fact that, although constituencies might entertain strong opinions on questions of public policy, still the matters in which they took the deepest interest were those which affected their own localities. Therefore the gentlemen who composed this Committee were those who would command the greatest weight with the representatives of the people in another branch of the Legislature. That was a state of things constitutionally objectionable, and he thought it behooved the Council to prevent the existence of such a state of things by objecting to this proposal at the very outset. No one could accuse him of want of confidence in the Local Bills Committee; but that Committee was selected for a certain purpose—namely, to decide and report whether the Standing Orders had been complied with—and while they continued to merely perform that function he would have no objection to the Committee. There was no intention to deprive them of any of the powers they at present possessed, but simply to confine them to the exercise of those powers. Remarks had been made to the effect that these Bills were

comparatively private Bills, such as used to be dealt with by Provincial Councils. He saw no reason why the General Legislature should deal with them in any way different from that in which they used to be dealt with by the Provincial Councils. By referring to the records of the Provincial Council of which his honorable friend Captain Baillie was so distinguished a member, he found that these Bills were invariably read a second time before being referred to a Select Committee to inquire into their merits. If that course was necessary in the Provincial Councils, where so many members were likely to be acquainted with the local circumstances connected with each Bill, there was so much the more reason why the same practice should be followed in the Legislative Council, where, possibly, few members knew anything about the places to be dealt with. As a matter of fact, the Committees of the Legislative Council would be greatly assisted by the debates which might take place on the second reading. He might mention one case—the Wellington Public Reserves Bill. In that case the Local Bills Committee made a report that the Bill was in compliance with the Standing Orders; but when the Council went into the merits of the Bill it was found that that report scarcely represented the case, and it was referred back to the Committee, and, on a second report being brought up, a motion for the commitment of the Bill that day six months was carried. Honorable members need not attach too much weight to the fact that this alteration was recommended by the Standing Orders Committee, for he found, on comparing the *personnel* of the two Committees, that the Local Bills Committee simply moved bodily into the Standing Orders Committee's room in order to exercise its judgment there upon the recommendations it had made in another capacity. It must also be apparent that the honorable gentlemen composing the Committee were amongst the most influential in the Council. This was a question which the Council should deal with on its own merits, and not be overborne by authority. It should consider whether it was prepared to discard its functions in favour of any Committee. After the second reading of a Bill, he knew of no gentlemen better qualified to investigate its merits than the honorable gentlemen forming this Committee; but it would be much better to adhere to the former course, and not constitute the Committee a kind of *imperium in imperio*. That course would also have this further advantage: that the younger members of the Council would then be able to exercise those faculties which would require to be brought into play some day or another—because the Council could not always hope to retain on its roll the older members who were now doing the greater part of the work. He hoped the Council would not assent to the resolution of the Hon. Captain Baillie, and trusted that the honorable gentleman himself would not object to the course being followed which he had suggested.

The Hon. Captain FRASER said that last session, and, he thought, the session before, he never

Hon. Mr. Mantell

lost an opportunity of opposing the power which the Local Bills Committee was arrogating to itself—a power which, in his opinion, touched the dignity of the Council. No one denied the good work which this Committee had done, but he did not for one moment admit an amount of superiority in one member of that House over another, or that any one member possessed a keener or juster perception in adjudication than another. He thought that it was time that this power which had been gradually growing up should be dispersed, and divided equally throughout the whole Council; and he intended to move an amendment in that direction, which he trusted would be supported, particularly by the younger members of the Council. It was not right that any attempt should be made to remove their landmarks; and he took this opportunity of expressing—he was going to say his indignation that the Chairman of Committees, who should defend their rights and privileges, should be the person to stab them. He would move as an amendment, That the following be inserted instead of the first resolution: That the investigation into the merits of any local Bill should only take place after its second reading, and that every local Bill should after such second reading be referred to a Select Committee. That it be an instruction to the Standing Orders Committee to prepare a Standing Order providing for such reference at that stage of the Bill's progress through the Council.

The Hon. Mr. WATERHOUSE could not help being amused at the amount of warmth always thrown into discussions with reference to the Local Bills Committee. It was at times difficult to understand why so much warmth should be exhibited. The Local Bills Committee looked upon the matter rather coolly and indifferently. They did not wish to arrogate to themselves any duties that did not devolve upon them, or that would not have a beneficial influence upon the conduct of business generally; and, if it was thought for one moment that their action had such a tendency, he was sure they would, individually and collectively, be glad to resign their trust to some other persons. He was amused at hearing his friend Captain Fraser talking of the arrogance of the members of the Committee.

The Hon. Captain FRASER.—I said they were arrogating to themselves a certain power.

The Hon. Mr. WATERHOUSE thought the honorable gentleman had spoken of their arrogance. Of whom was the Committee composed? There was the Hon. Captain Baillie, the Chairman: he was scarcely a man one would consider likely to adopt such a line of conduct. The Hon. Mr. Menzies was another member of the Committee: he was not one of those blustering characters who would presume on the forbearance of other persons, and be intent upon arrogating to themselves a power that was injurious to the public welfare. His honorable friend Mr. Scotland was by no means a representative of a class desirous to arrogate power to himself and his colleagues. The Hon. Sir F. Dillon Bell the colony had had long experience of, and was perfectly well aware of his diligence in public work; and he did not think that that honorable gentleman's career

laid him open to the charge of desiring to arrogate power to himself. With reference to himself, perhaps he might plead guilty to the soft impeachment, as it would scarcely do for him to proclaim his own virtues. At the same time, if he were guilty of arrogating power to himself, his honorable friend Captain Fraser had removed the bushel from the candle, and exhibited a light he was not previously aware of. The necessity of a stricter examination into local Bills than formerly took place arose undoubtedly from the abolition of the provincial form of government. Before the provinces were abolished the Provincial Governments undertook this duty to a very great extent. There was no local Bill introduced into a Provincial Council for which the Provincial Government did not hold itself more or less responsible. But, since the provincial form of government was done away with, all these Bills were introduced into the General Assembly of the colony; and the practical result was, that now there was nobody whatever responsible for these measures. They were thrown upon the tables of the Houses—towards the close of the session they were heaped upon the tables of Parliament; and unless there was somebody intrusted with the special duty of examining into and reporting on these Bills, and protecting private rights, and public rights too, honorable members might depend upon it that great public and private injustice would result. The Hon. Mr. Mantell, although the general tendency of his remarks was as averse as it well could be to all the proceedings of a Local Bills Committee, did in one portion of his speech, somewhat inconsistently, express his readiness to refer these Bills after their second reading to a Local Bills Committee, if such a course were deemed desirable. Now, the question of whether the Bills should be referred to a Local Bills Committee after the first or after the second reading did engage the attention of the Standing Orders Committee. His own impression when the question was first raised was similar to that of the Hon. Mr. Mantell—namely, that it would be desirable to refer the Bills to the Committee after the second reading; but upon further reflection he was led to think that the view entertained by others on that subject was the more correct one—and for this reason: that in that case you must have two Committees. The duty of the first Committee, to whom the Bill would be referred after the first reading, would be to see how far the Bills specially affected local interests, how far they dealt with private rights or public reserves for local and municipal purposes. It was almost impossible to make this preliminary inquiry without trenching upon the other inquiry. The result was, that he was led to do what he was always bound to do when he saw a reason for it—namely, to change his opinion upon the subject, and fall in with the view expressed by other members of the Committee. There was still an alteration in the Standing Orders connected with local Bills that he thought would be desirable. It had been suggested that a certain number of persons should be told off for this special work, and that the Hon. the Speaker should refer each local Bill, as it was

read a first or second time, to a certain number of those gentlemen in rotation, who should be a Select Committee to whom the Bill should stand referred. But it had been felt that that would be open to the objection that a Select Committee of that sort would not have the special knowledge which a lengthened acquaintance with the subject created, and would not be able to prosecute their inquiries so fully as would be the case if the Bill were referred to a special Committee, constituted, if he might use the term, of experts in the work. But another proposition was made—namely, that the Bills themselves should be classified, and, after classification, be referred to a distinct Committee. To a certain extent this proposition was supported by the Standing Orders Committee, and a proposal was now under consideration that all Harbour Board Bills should be referred to a Harbour Board Bills Committee. The Standing Orders Committee, it would be seen, suggested that this work should for the future devolve upon two Committees. He, however, thought that they might with advantage extend the number of Committees, and might still further classify the Bills. A large number of those Bills were municipal or County Council Bills, and it would be an advantage if these Bills were classified apart, to the extent, at any rate, of creating a distinct Committee to whom all municipal Bills should be referred. If this course were adopted, the result would be that they would have three distinct Committees, to whom local Bills would stand referred. Seven members being appointed in each Committee, those three Committees would comprise no less than twenty-one members of the Council, and in that way they would have twenty-one members of the Council graduating themselves in an acquaintance with the special work of the Committee with which they were connected. He was sure honorable members would see that it would be a very great advantage that a member should be appointed on only one of those Committees, and that each member should get a special knowledge of the particular work referred to that Committee. He would suggest to the Hon. Mr. Mantell that probably it would be well to allow this resolution to be passed, and to take the discussion on the subsequent resolution proposed by the Hon. Mr. Menzies, who raised this point. It was his intention, when the latter resolution was under consideration, to express his own individual support of it, and to throw out the suggestion he had ventured to make: that the work should be henceforth remitted to a larger number of Committees—divided, in fact, amongst three Committees—and that upon each Committee there should be seven members, no one member serving on more than one Committee. He did not know how far that would meet the views of his honorable friend Captain Fraser. It might be better to refer the matter back to the Standing Orders Committee, with the view of altering the Standing Orders in order to provide for the future classification of local Bills.

The Hon. Captain FRASER would like to take the opinion of the Committee. As far as his own

judgment went he should be very glad to adopt the proposal of the Hon. Mr. Menzies, which he understood would be moved by the Hon. Mr. Buckley.

The Hon. Sir F. DILLON BELL said the manner in which the Hon. Mr. Mantell and the Hon. Captain Fraser had referred to this question showed the complete misunderstanding under which they laboured; and his honorable friend Mr. Mantell would allow him to say that it came with very bad grace from him, who was not accustomed in Committees to take any great share in the public work that was going on.

The Hon. Mr. MANTELL rose to explain. The honorable gentleman was but a new member of the Council, and he (Mr. Mantell) would appeal to the Council to say whether he had not for years and years past taken his full share in the work of the various Committees.

The Hon. Sir F. DILLON BELL was sorry that anything he had said should have raised the anger of his honorable friend.

The Hon. Mr. MANTELL. — Not anger—amusement.

The Hon. Sir F. DILLON BELL said the tone of his honorable friend did not strike him as being one of amusement; however, he was sorry to have said anything that could have amused him. The difficulty before them was a very serious one. He would preface what he was about to say by an admission of his own desire to be relieved from any further share in the work of this Committee. So far from desiring to arrogate to himself any power as a member of that Committee, there was no part of the work he had done in Parliament which had been so disagreeable, or had been attended with so much difficulty and trouble, as the work of this Committee. What he was going to urge would not in the slightest degree advance any object of his own, because, if he were correct in the opinions he held on the matter, it would be impossible for him to take any part in the work as it was proposed to be done: and when he found that the painstaking and exhaustive labour which had been performed by the Committee in previous sessions only seemed to have resulted in creating an unpleasant feeling on the part of honorable gentlemen towards its members, as if they had some personal advantage in view, he felt that the time had come when the members of the Committee should seek to be relieved from this duty. His honorable friend Mr. Waterhouse had justly pointed out that, when these local Bills were dealt with by the Provincial Councils, the Provincial Governments had always been responsible not only for their conduct through the Council, but for the protection of any private or public interests which might be involved in them. But, besides that, there was this additional safeguard for the public: that the Provincial Councils really understood the character and the effect of the legislation which was intended, and were thus not likely to consent to anything dangerous or improper. Now these two advantages no longer existed. Local Bills were not introduced into Parliament under any responsibility of the Government, and could not,

Hon. Captain Fraser

under the present, or, indeed, any other form of General Government, be under the same control as was exercised over them in the Provincial Councils. And there was another point of still more importance. In consequence of the absence of that local knowledge which had existed in the Provincial Councils, such Bills when brought into the House of Representatives were things which nobody knew anything at all about, and were not really investigated. Not only was there no responsibility, but there was no safeguard; and members, in the struggle to get their Bills passed on private members' days, agreed amongst themselves that A would allow B's Bill to pass if B would not oppose A's, it being always said, "Let them go to the Legislative Council, they will be sifted there." At first, when these Bills came up to the Council, honorable members did not realize what the effect of such a change from the provincial system would be: but afterwards, as the Bills came to be investigated, it was found that in almost every case either private or public rights were interfered with; not in consequence of any improper motive, but from want of due control. Bills were introduced into the House of Representatives now, which no man would have ventured to introduce into a Provincial Council. Under this state of things the Council was made the investigator of these Bills, and the duty required a very great amount of care and labour: such care and labour as was not to be despised, not to be treated as being the mere outcome of personal ambition on the part of the members of the Committee, and, above all, not to be considered unnecessary. It was requisite, as the Hon. Mr. Waterhouse had remarked, that these Bills should be dealt with by experts in local legislation. His honorable friend Mr. Mantell was a scientific man, and was an honored and distinguished member of the Philosophical Institute in Wellington. What would he think if some one were to move that the nature of metamorphic rocks and botanical definitions should be left to the investigation of people who knew nothing whatever about science? It was no use their pretending that they did know these things: there were some of them who did not know them. It would be a great piece of folly on his part if he were to aspire to rival his honorable friend in any scientific research: and it showed a want of consideration of the subject to propose that a duty which required the services of experts in legislation should be left to those whose studies had not accustomed them to the work. It was difficult to name a single local Bill which had been examined by the Committee, in which public or private rights were not more or less affected; and, if an investigation of that kind did not take place before the principle of the Bill was accepted on the second reading, serious evils would result. It was now proposed to distribute the work among a number of members, to be appointed for different Committees. Now, the objection to that course was this: If the work was to be done honestly and fairly, and with due responsibility for the preservation of private and public rights, members who were themselves promoting local Bills should

not be members of the Committees adjudicating upon them. What was wanted was a Committee whose members would have no interest of their own in the Bills to be investigated, and which should merely be an examining body: otherwise they would soon degenerate into the practice in vogue in the other Chamber; and members, unconsciously and without the operation of anything like an improper motive, would get into habits of laxity which would spread through every Committee. The necessity for a small number on the Committee was at the core of the thing, and the necessity for that small number being experts was also at the core. A case in point might be mentioned. The Hon. Captain Baillie introduced a Bill intitled the Awatere Shearing Reserve Bill. That honorable gentleman was not one of these "dangerous" members which it was evident from the remarks of the honorable mover he (Sir F. Dillon Bell) was supposed to be, and no doubt he acted perfectly innocently. Presently the Attorney-General, being an expert in legislation, says, "Here, you are touching upon the interests of the Crown;" and so disposes of the Bill altogether. He (Sir F. Dillon Bell) pretended to some little knowledge in local Bills, but certainly, with reference to that Bill, he had not known what he was doing. And this was an instance which could be constantly repeated. Was it wise, then, because some gentlemen thought there had been an assumption of power on the part of the Committee, because they thought the Committee had arrogated to itself certain influence, for those gentlemen now to abolish the safeguard which the Council had set up? Well, the Council would take this step with their eyes open; and, if the views of certain honorable gentlemen proved incorrect, the Council would one day come round to his view. The work was altogether different from that in regard to public legislation. As far as work was concerned, he would rather do the work connected with twenty public Bills than that connected with one of these local Bills. It required more research, examination, care, and even suspicion, than could ever be called into existence by public legislation. They were not public Bills, nor were they private Bills, but a kind of a hybrid into which were slipped all sorts of provisions which nobody could understand at first sight, and the effect of which was often not seen without minute inquiry. He remembered another instance—that of the Hon. Mr. Miller. He was the promoter of a Bill before the Local Bills Committee, called the Oamaru Waterworks Bill, which increased the borrowing power of the Oamaru Municipal Council. Every line of that Bill bristled with difficulties—legal difficulties, financial difficulties, the rights of private persons, and the rights of public bodies; but his friend was the promoter of that Bill as innocently as any one who ever lived. The Council should provide that members promoting Bills should not be the judges of those Bills; next, that the examination should be conducted by experts; and, thirdly, that those experts should be small in number, and charged with a high responsibility. Honorable gentlemen talked of influence and

power being centred in this Committee; but what did it all come to? The Council really determined the fate of every Bill. The duty of the Committee was simply to make recommendations, to inquire into matters, and to report their opinions; it was for the Council to adopt their reports or not as they pleased; and at the second reading every member was as free to investigate into the Bill, to see whether the Committee were to blame, and to rectify mistakes—and mistakes were sure to occur wherever human action was concerned—as if no prior action had been taken by the Committee. It was absurd, then, that, because certain members thought this Local Bills Committee was creating itself an *imperium in imperio*, the Council should abolish the Committee altogether. However, as some feeling had been created in the Council, and a belief had been allowed to arise that the work might be very much better done by other people, he personally would give way to it at once. He sincerely hoped the work would be better done by other people, and in taking leave of the subject he would only add that, if any one thought he had been actuated by a love of power or influence, he was willing to accept the consequences in this motion.

The Hon. Dr. POLLEN said that when he seconded the very harmless-looking motion of his honorable friend Captain Baillie—which he regarded as a mere verbal amendment of no importance in the Standing Orders—he had no idea that there would be such an explosion of recrimination and eloquence as had followed. He thought that the motion simply had for its object the omission of three words "and, if so." There was dramatic authority for saying that "if" was the only peacemaker, and, if allowing the word to remain in the Standing Orders would restore peace in the Council, he would urge upon his honorable friend to withdraw the motion, and allow "if" to remain where it was. However, it would hardly be right to say that the time spent had been wasted, for it was a most important question how to deal with those local Bills satisfactorily. In the philosophical nomenclature of the lobbies, which one might venture to quote without being responsible for it, these Bills were denominated generically "schwindles." When an honorable gentleman had a Bill of this kind he permitted himself to say he had "a little swindle." That was the genus, but there were species, and varieties. They did not all class as little swindles. He could say from his experience that some of them were not little swindles, but very big swindles; and the Council had earned the gratitude of the country by putting them out. As it was expected that the Council would continue its functions in that respect, would continue to afford protection to honorable gentlemen in another place, and to the country generally, he thought it would be better, instead of discussing verbal amendments, to consider really how this matter could be placed upon the best footing. The amendment of the Hon. Captain Fraser went the length of saying that there should be no reference of these Bills to the Local Bills Committee until after the second reading. But it had always been understood that when a

Bill had been ordered to be read a second time the Chamber was committed to the principle of the Bill, and it was just at that time, when the Council was invited to commit itself to the principle of a measure, that it wanted information which it could not obtain otherwise than by an antecedent reference to this Committee. He thought that fact would dispose of the amendment of his honorable friend. How otherwise could the Council obtain information? It must be in the experience of every honorable member that even the honorable gentleman invited vicariously to take charge of these Bills in the Council very often knew less about them than any other member of the Council. Except by means of this Local Bills Committee it was impossible to acquire reliable information. Before the Council was committed to the principle of any of these Bills, it should be first furnished with information which could only be furnished by this Committee. That was the function of the Committee, and that was the function that had been performed very well by it; and it showed great want of appreciation of the labours of the members to have their motives and their decisions called into question as he (Dr. Pollen) had heard them called into question. It was a very poor requital for such labours. There was no doubt that an unreasonable amount of work was imposed upon this Committee, and it has been proposed that the labour might be lightened by increasing the number of Committees. He ventured to make a suggestion which might be worth considering for at once reducing the pressure of the labour by dividing it, whilst the responsibility of the Committee would not be weakened. It had occurred to him that the number might be enlarged; and they might follow the practice which obtained in Municipal Councils, of referring particular questions to sub-committees or *bureaux* of the Committee: the work would thus be distributed, while the Committee would remain responsible. He thought this was a practical suggestion which it might be worth the while of the Standing Orders Committee to consider. He should vote against the amendment.

The Hon. Colonel WHITMORE said that, in the discussion which took place on this matter in the Standing Orders Committee, he took a view opposed to that of his honorable friend who thought that Bills should be referred to the Local Bills Committee after the second reading.

The Hon. Mr. MANTELL.—Before the second reading.

The Hon. Colonel WHITMORE certainly understood his friend to mean after the second reading: at any rate, the amendment was to that effect. He (Colonel Whitmore) thought with the Hon. Dr. Pollen that the Bills should be sent to the Local Bills Committee before the second reading, because really there was no principle involved in them, or seldom any principle worth considering. When one Athenæum Bill had been dealt with, the principle of all was understood. It was either to obtain borrowing powers, or powers to lease or sell, all of which matters depended upon local circumstances. He believed the feeling was not so much with regard

Hon. Dr. Pollen

to whether Bills should be referred to the Local Bills Committee before or after the second reading, but as to the *personnel* of that Committee. He had always on principle supported the findings of that Committee, and he would be sorry to think that there had been any jealousy; but he believed it would be desirable to increase the number—firstly, because it would tend to remove the feeling to which he had alluded, and, secondly, because it would allow gentlemen who might be in charge of local Bills to withdraw from serving on the Committee, without unduly reducing the number. The Hon. Sir F. Dillon Bell had said it would be desirable that gentlemen in charge of Bills should not serve upon Committees. He (Colonel Whitmore) agreed with that; but both that honorable member and the Hon. Mr. Waterhouse had frequently been in charge of Bills, and, if that were so in future, not only would the Committee lose their services, but there would be no person to take their places. If the Committee were made larger—if there were double as many on the roster, leaving it to the Hon. the Speaker either to appoint two Committees, or to break up the names to serve on each branch of the Committee—he should make no objection; but in the present state of mind of the Council it would be desirable to come to some better compromise than any that had been suggested. He thought they might agree among themselves. No doubt honorable members recognized the services of the Hon. Mr. Waterhouse and the Hon. Sir F. Dillon Bell, although, perhaps, they did not wish the Committee to be too exclusive. Under all the circumstances he thought it would be better to leave the matter for a day or two, and he would therefore move the adjournment of the debate until Friday next.

Debate adjourned.

UNIVERSITY RESERVES.

The Hon. Mr. MILLER, in moving his motion, said the report of the Committee on the petition of the Chancellor of the New Zealand University was as follows:—

"That, in the opinion of the Committee, it is desirable that the Government be requested to introduce a Bill, during the present session, for the purpose of appointing trustees for the management of the reserves mentioned in the petition; such trustees to consist of the Chancellor of the New Zealand University *ex officio*, and two others, to be appointed by the Government and the New Zealand University Senate respectively."

This report in reality repeated what had been already suggested at a former period. In the year 1876, a Bill was drafted proposing to appoint trustees for the whole of these reserves. This Bill was not introduced, but it again occupied the attention of the Government in the following year; but why it was not introduced into the House he was not aware: no doubt the Hon. the Attorney-General could throw some light on the subject. The simple position of these reserves was, that they were yielding no revenue at all, but were lying wholly unprofitable, and were of no use whatever for the purpose for which they were originally reserved; so that there

could be no doubt as to the desirability of some steps being taken in regard to them. By the evidence which was attached to the report of the Commissioners on Higher Education, it would be seen that a considerable revenue would at once be derived from one of the blocks, and he believed that if proper steps were taken some other blocks might also be made to yield revenue. Under these circumstances he trusted the Government would agree to the recommendation of the Committee. The Hon. the Attorney-General would probably be aware there were some difficulties connected with defining these reserves, or rather that, in consequence of the Act of 1875 not having been complied with, it was necessary that the reserves should be defined before they could be appropriated to the purposes for which they were originally intended. He thought the simplest plan would be to introduce a Bill dealing with the matter of appointing trustees to take charge of the reserves.

Motion made, and question proposed, "That, in the opinion of this Council, it is desirable that the Government be requested to introduce a Bill during the present session for the purpose of appointing trustees for the management of the reserves mentioned in the petition of the Chancellor of the New Zealand University; such trustees to consist of the Chancellor of the New Zealand University *ex officio*, and two others, to be appointed by the Government and the New Zealand Senate respectively."—(*Hon. Mr. Miller.*)

The Hon. Mr. WHITAKER said that as far as the Government was concerned he had no objection to this motion being passed; but he could hardly promise the honorable gentleman that a Bill for the purpose indicated would be introduced this session. The amount of work already before Parliament was very great, and this was a matter which he thought might not unreasonably be postponed.

The hour of four o'clock having arrived, the Council proceeded to the Orders of the day.

PARAMENE TE ONEONE V. KINROSS.

ADJOURNED DEBATE.

The adjourned debate was resumed upon the question, That this Council doth concur in the report of the Standing Orders Committee in the case of *Paramene te Oneone*; but that, as it appears that the infringement of parliamentary privilege by *Paramene te Oneone* and his legal advisers was committed in ignorance, and as their action has been abandoned, it is not necessary, in the opinion of this Council, to take any further steps in the matter.

The Hon. Mr. WHITAKER said this debate was adjourned at the suggestion of the Hon. Mr. Wilson, who had come to the conclusion that the report of the Committee contained statements which were not in accordance with law—especially the statement that a witness before the Council, or one of its Committees, could be called upon to answer questions which would criminate himself. No doubt his honorable friend came to that conclusion in consequence of the contrary being the rule in the Courts of law. He put the question pointedly to him (Mr. Whitaker) whe-

ther he agreed with him or not. His impression was against the honorable gentleman at the time, but at the same time it appeared to him that the report did not go precisely in the way he thought it should, and therefore he took upon himself to examine carefully into the question. After examining the reports of cases, and also text-book authorities, he had come to the conclusion that the statements in the report did not exceed the powers of the Council. There was a broad distinction between proceedings in a Court of law and proceedings in the two Houses of Parliament, and, although the law had been stated precisely according to the law as administered in the Courts of justice, it was not the law as administered by the two Houses of Parliament. He thought, if the honorable gentleman would refer to the different authorities on the subject, he would find that the privilege claimed in the report on behalf of the Council was in strict accordance with precedent. The Privileges Act conferred upon the Council the powers and also the privileges of the House of Commons. One of those privileges was the protection of witnesses who gave evidence either before a Committee of the House or before the House itself. Those witnesses had extended to them all the privileges that were given to witnesses in the Supreme Court; but such witnesses had a further privilege, and that was, that they could not be prosecuted or proceeded against for anything stated in their evidence unless by express permission of the House. That this was the rule appeared still further evident from the fact that there was a Standing Order which expressly provided that wherever false evidence was given the Council would proceed in a severe manner against the witness. If a witness made a false statement before a Committee, or before the Council, the proper course was to apply to the Council, or, when the Council was not in session, to the Speaker, for permission to take proceedings against that person. It was then a matter for the consideration of the Council, or of the Speaker, whether that permission should be given; and he apprehended that little difficulty or question could ever arise upon that, because, where it was clear or where it was believed that false evidence had been given, no objection would be made, either by the Council or by the Speaker, to proceedings being taken against the offender. After looking into the precedents, it appeared to him quite clear that that was the proper mode of procedure, and therefore he thought the report correctly stated what were the privileges of the Council. But it seemed to him that an alteration was required in the last paragraph but one of the report, which, as it stood at present, might be open to misconception. On reading it, it would appear that the proceedings against Mr. Kinross were of a civil nature. The report at the beginning referred to Mr. Kinross as having been a witness before a Select Committee of the Legislative Council in 1871, and the last paragraph but one stated, "A further reference to parliamentary practice and precedent showed that the commencement of an action at law against a

witness for evidence given before a Parliamentary Committee constituted a breach of privilege, although such action was not proceeded with." The inference was, that the proceedings against Kinross were in the shape of an action at law; but on inquiry he found that they were of a criminal nature, and that the charge was one of perjury. Therefore the report was not quite consistent with itself. It began by stating—although not directly—that the case was one of perjury, and then it used the words, "the commencement of an action at law." The proceeding against Mr. Kinross was not the commencement of an action at law, but the commencement of a criminal prosecution. The doubt entertained on this subject, which he had endeavoured to clear up, was this: whether or not, looking at the privileges that were conferred upon the Council and its Committees in regard to witnesses examined before it, the case of perjury was one that would be excepted. He was satisfied that in no other case would there be any exception; but an impression rested on his mind that he had somewhere read that there was an exception in the case of perjury, and he did not think such an exception would be at all unreasonable. However, after the investigation he had made into the matter, he did not think there was any exception whatever; and therefore it appeared to him that the report, in its statement of the privileges of the Council in regard to witnesses, went no further than the law warranted. But he would propose, as an amendment, to strike out of the report the words "an action at law," in the last paragraph but one, for the purpose of inserting the words "proceedings civil or criminal." It would be found then to cover what were really the privileges of the Council and of witnesses examined before it, and would, at the same time, cover the case of Mr. Kinross, who, it appeared, was proceeded against on a criminal charge. It would also probably be better to state that it was without the concurrence of the Council or the Speaker; and he would propose to insert, after the word "commencement," in the same paragraph, the words "without the consent of the Council or the Speaker thereof." He would move, as an amendment to the motion before the Council, That the report of the Standing Orders Committee be referred back to the Committee; with a view to making the amendments he had indicated.

The Hon. Mr. SCOTLAND wished to make a few remarks on the propriety of proceeding with this matter of privilege. He was very sorry it had been taken up by the Council at all. He thought they should, at any rate, have waited until a petition had been presented by Mr. Kinross, asking for protection. He could not see the use of discussion, as in any case, and whether there was a petition or not, he felt sure that, where either a civil action or criminal proceedings had been commenced against any witness for words spoken before one of its Committees, the Council ought not to interfere. He was confirmed in this opinion by some words which fell from Lord Brougham and Lord Denman in the House of Lords in 1845, when a celebrated case

Hon. Mr. Whitaker

was being debated. It was on a petition from a Mr. Baker, who claimed the protection of the House of Lords in consequence of an action having been brought against him by Mr. Harlow for words used by Mr. Baker before a Committee of the House of Lords, which were supposed to reflect upon Mr. Harlow. With the leave of the Council he would read a portion of what Lord Denman and Lord Brougham said on the occasion. After Lord Campbell had moved that the plaintiff in the action and his attorney be brought to the bar of the House of Lords, Lord Denman said he hoped their Lordships would not act at all. In the course of his remarks he said,—

"But it is said that this petitioner and witness would be harassed if this action were allowed to be brought against him. Would he not be equally harassed if he were indicted for perjury? Would your Lordships prevent such an indictment because the party indicted came and told you that he was guiltless of the crime of perjury alleged against him, and that he had said nothing but the truth? Are your Lordships prepared, on such an allegation, to declare that you will not allow the law to take its course, nor will allow the question as to the falsehood or truth of the party's statement to be investigated by a competent legal tribunal? I think your Lordships will incur a most serious responsibility if you undertake to interfere thus without great deliberation. . . . My Lords, I venture to warn you against the notion that dignity consists in taking sudden offence, and in putting down all who question your proceedings. There may be good grounds for the statements of those who come before you for protection. Your Lordships do not possess the means of investigating the merits between the contending parties; but, if those grounds exist, the assertion and proof of them will be available to the party complaining in any Court of justice in the kingdom."

A few days afterwards, on the same case coming up again before the House of Lords, Lord Brougham spoke at great length, and on the same side as Lord Denman. He concluded in these words:—

"I think it most clear, my Lords, that we need have no fear from the Judges of the land. They are, amongst all men and all bodies of men, the first to show respect to this House; and they will be the last to shrink from supporting your privileges when the acts of your servants or officers are discussed in Courts of justice. Let us ever bear in mind the respect due to the law, of which we are the highest depositaries—ever be ready by the law to have all our rights decided, by its oracles all our claims adjudged. To the Courts, where it is purely and calmly admitted, let us all willingly resort for justice, and never lose sight of the good maxim that, in keeping together the great social pyramid of England, its strength resides, not in the apex of the Crown, not in the region of the people, not in the broad, low base of the multitude, but in that middle region in which justice is administered according to law by lawyers, and, above all, by lawyers who are no politicians. It is because they are chosen out and set apart as a peculiar people—zealous of

good works of justice; it is because politics never cross the threshold of their Courts, or interrupt the calm and equable tenor of their way; it is therefore that your Lordships ought to rely with confidence on the protection which your privileges will receive at the hands of those who administer justice in our tribunals."

He did not think they were likely to get out of this matter with dignity at all. How did they propose to get out of it? By resorting to a fiction. The motion stated, the infringement of parliamentary privilege by Paramene to Oneone and his legal advisers was committed "in ignorance." That put a strain upon his credulity which was rather more than it could bear. He would go further, and say he did not think any honorable member of the Council believed it to be true. It was preposterous to suppose that Paramene to Oneone's counsel, who was a former member of Parliament, could have been ignorant of the privilege of Parliament. At any rate it would be as well to strike out those words about ignorance; but he was of opinion that the best plan would be to drop the whole subject at once.

The Hon. Mr. WILSON said he had no interest whatever in the present case, and had it not been for the tenor of the report he would not have said a word about it; but he thought it would be imprudent to let such a report as this go forth. With all respect to the opinion of the Attorney-General, he would still ask that it should be sent back to the Committee to see whether there were any grounds for the two statements made in the interim report. The first of these was, that the Council would protect witnesses who gave evidence before it. He was bound to say he could not find any authority at all for that. What he did find was this: that the Parliament at Home, from which they got their privileges, would not allow proceedings to be taken against witnesses without its consent; but that was in no way to protect the witnesses, because if they were guilty why should the Parliament protect them? The real reason why Parliament would not allow proceedings to be taken was that its own privileges were invaded by notice being taken of what had occurred before it. The other point in regard to which he found fault with the report was as to witnesses before Parliamentary Committees being compelled to give evidence, whether such evidence would inculpate them or not. He did not find that that was so at all, and, so far from its being the case, it would be remembered that a few years ago, when Mr. Bridges made a statement at the bar of the other House, he refused to answer except on the understanding that a Bill of indemnity would be passed; but his charges broke down, and he withdrew his statement. It was not recognized for one moment that witnesses were bound to criminate themselves; and he thought that the statement in the report, if allowed to remain, would be a very misleading one. He did not think it was at all necessary. What did the Attorney-General say? That he had thought that, in cases of this kind, although it was possible that the Parliament would not allow proceedings to be brought, it was probable that there would be an exception in

the case of perjury. Well, there was that exception in one respect. In the English Act called "The Corrupt Practices Act, 1863," there was a provision by which no witness would be excused from answering criminating questions. But what happened? If he answered them to the satisfaction of the Committee, he received a certificate. But in a Bill introduced in another place there was this proviso: Clause 19 of the Bill provided that witnesses should not be excused from criminating themselves, but that the Judge should give them a certificate. That proviso was taken from the English Act. The report of the Committee would have a misleading effect. If it were to be looked upon as a true statement of the law, it would appear that a witness was compelled to criminate himself—which, he submitted, was not the case—and, secondly, that, whatever false evidence a witness gave, the Council would protect him. Of course that was not so. An honorable gentleman had made reference to a Standing Order. He apprehended that the Standing Order was like many other things, and would probably never be put in force.

The Hon. Mr. MANTELL.—Standing Order No. 279.

The Hon. Mr. WILSON would like to know who would put that in force.

The Hon. Mr. MANTELL.—We shall.

The Hon. Mr. WILSON said that in this particular instance no proceedings had been talked of at all. He differed from the Attorney-General on the point; and his idea was, that this was the state of the law: that, in the first place, the Council beyond doubt would not allow proceedings of either a civil or a criminal character to be taken against witnesses; but that was not with the view of protecting the witnesses, but for the purpose of preserving the privileges of Parliament. Secondly, it was a misleading statement to say that witnesses were compelled to criminate themselves.

The Hon. Sir F. DILLON BELL thought it would be inconvenient, as a matter of practice, to refer a report back to the Committee, directing it to make a particular amendment. The usual course was to refer the report or a portion of it back to the Committee for reconsideration.

Words of original motion struck out; and question put, That the words proposed to be inserted stand part of the question.

The Hon. Mr. MANTELL moved that the following words be inserted: "The report be referred back to the Committee for reconsideration."

Agreed to.

IMPREST SUPPLY BILL (No. 3).

This Bill was read a first, a second, and a third time.

HAWKE'S BAY AND MARLBOROUGH RIVERS BILL.

The Hon. Mr. HOLMES, in moving the second reading of this Bill, explained that the reason for its introduction was to alter the manner of issuing debentures. Under the present system at least one-tenth of each debenture was payable every

year, and it was found in practice that paying in dribblets in that way lessened the value of the debentures, and prevented persons from investing their money in such securities. The object of the promoters was to issue debentures payable in one sum, and a person purchasing debentures would know precisely when he would have to take back his money. The only other alteration was, that any Board might be at liberty to adopt section 10 of the Municipal Corporations Act, and by doing so they would be obliged to take a vote of the ratepayers before they could contract for any loan or make any rate. This, however, was a permissive provision to which the promoters did not attach particular importance.

The Hon. the SPEAKER was in doubt whether this was not a local Bill. From the title it would appear so.

The Hon. Captain FRASER would like to know whether due notice had been given in the locality that this Bill was about to be brought in, as it was possible that some of the ratepayers might object to it. He imagined it was a local Bill.

The Hon. Sir F. DILLON BELL pointed out that this was not the first time an amendment of the Hawke's Bay and Marlborough Rivers Act had been brought before the Council. Honorable gentlemen would remember the amusement caused when he read out the provisions of a Bill introduced by an honorable member in another place, which showed that the Bill had nothing whatever to do with the Hawke's Bay and Marlborough rivers. It was just the same with the present Bill, which had nothing to do with the Hawke's Bay and Marlborough rivers.

The Hon. Mr. WATERHOUSE moved the adjournment of the debate, in order to afford the Hon. the Speaker an opportunity of looking into the point of whether this was a local Bill or not. The question was not so simple as it might appear on the surface, for, although the original Act had a local title, still it had been incorporated with a number of other Bills, and therefore it might be found on inspection to be a public Bill. He thought the Wairarapa rivers and a variety of other rivers had been brought under the provisions of the Act, so that it was an Act of general application, although it retained a local title.

The Hon. Mr. HOLMES begged to state that this was a public Bill, just in the same way that the Municipal Corporations Act or the Harbour Boards Act was a public Act. The Hawke's Bay and Marlborough Rivers Act had been made to apply to all Bills brought up for river conservation.

The Hon. Sir F. DILLON BELL would ask whether the 4th section did not very largely change the course of proceeding under the Acts already on the Statute Book. If the Bill was only to apply to the Taieri District there would be no objection; but, if it was to apply to all rivers brought under the Hawke's Bay and Marlborough Rivers Act, that was a very different thing.

The Hon. the SPEAKER said that, on looking at the original Hawke's Bay and Marlborough

Hon. Mr. Holmes

Rivers Act, he found that it empowered the Superintendent of any province to bring it into force with regard to any particular locality. That seemed to have in it what the Council had already declared in its Standing Orders was the essence of a local Bill. He would, however, take time and look more closely into the matter.

Debate adjourned.

UNIVERSITY RESERVES.

INTERRUPTED DEBATE.

The Hon. Dr. POLLEN was about to say, when the debate was interrupted, that there were several points in the question to which his honorable friend the mover did not advert, and to which the attention of the Council should be called before it arrived at any decision upon the matter. The University of New Zealand had for a long time evinced a desire—very laudable, no doubt—to obtain the control, if not the possession, of these reserves. Whether it was desirable that such control or possession should be now vested in the New Zealand University was a question upon which he did not at present express an opinion; but he wished to call attention to the fact that, if the motion were accepted without any explanation, it would commit the General Assembly to a reversal of the policy now established by law for dealing with these reserves. Honorable gentlemen would remember that "The New Zealand University Act, 1874," was, to all intents and purposes, a compromise—the result of the contention between the New Zealand University as then constituted, the Otago University as then constituted, and some other local educational institutions. The terms of that compromise were distinctly stated in the Act itself—that was to say, it was agreed, on the part of the representatives of the University of Otago, on the part of the representatives of the Canterbury College, and on the part of the Council of the New Zealand University, that, in consideration of the Otago University consenting to abdicate its pretension to be the University of New Zealand, the functions of the New Zealand University should be simply those of an examining body, and not of a teaching body in any sense. The reserves which were made for the endowment of the Otago University were preserved to that institution by the Act, and there was a permanent appropriation of £3,000 a year to the New Zealand University: this was held to be sufficient for its use, and the mode in which it was to be disposed of was prescribed. The conditions then imposed on the expenditure of the vote were, that the grants to affiliated institutions were to be continued for three years, at the end of which period the University was to obtain the uncontrolled management of it. At the time the Act was passed, apparently carrying out the agreement between the several bodies, it was arranged that the reserves which were originally intended to be made for the New Zealand University should not be given to the New Zealand University, but should be set apart for purposes of higher education in the respective provinces in which they were situated. The Legislature thus advisedly withdrew from the New Zealand

University all right of property in, and all right of control of, these reserves. The Act also provided that the Governor in Council might make arrangements for the management of these reserves, and that practically they were to be dealt with in the same manner as any of the waste lands of the Crown in the colony, and the proceeds from the sale or rental of them appropriated for the purposes of higher education in the several districts in such manner as the General Assembly might from time to time provide. What he wanted to point out now was the fact that this resolution, supposing that the Council were to assent to it upon the explanation which his honorable friend had given, would be simply an approval of an entire reversal of and departure from the policy of 1874 with respect to these reserves. Common experience of corporations was, that when once their *tentacula* closed upon property of any kind it was exceedingly difficult to unloose them afterwards; and he had fears that, if these reserves were placed at the disposal of the New Zealand University, in the course of time and from the nature of corporations, the original purpose for which they were intended might possibly be lost sight of, and the provincial districts, which now had a special interest in these reserves as making provision for the expenses of higher education within their limits, might very possibly lose the benefit of them. He was not at all sure whether the administration of these reserves by the Government of the colony, with the machinery which they had, would not be more effectual than that of the Senate of the New Zealand University. The Government had their Waste Lands Boards, they had their permanent officers in all the provinces where these lands were situated, and under the authority which already existed they had a power of dealing with them wherever a favourable opportunity arose for doing so. The cost of administration, the cost of collecting rents, and the cost of disposing of the lands would, under these circumstances, be nothing at all. Under the New Zealand University, agents would have to be employed, travelling expenses would necessarily be incurred, and a great many other items of expenditure would be apt to crop up, and thus the administration of these reserves would probably be much more expensive than by the mode which was already provided. At the same time, the danger would still exist which he had pointed out—that the original purpose for which these reserves were set aside might in course of time come to be forgotten. He thought, therefore, that before the Council proceeded to the consideration of this motion they should take the points he had mentioned into consideration; and it was with that view rather than with the object of opposing the resolution that he had now spoken on the subject. He would be very glad to hear what honorable gentlemen had to say on this question. He found that in the petition upon which the motion of his honorable friend was founded there were instances of the particular kind of forgetfulness of antecedent circumstances which he regarded as being likely to be so dangerous. The Chancellor of the University ap-

peared to have forgotten circumstances respecting these reserves; and he and the Senate, even at a time so near to the date when the original arrangement was made, had fallen into errors respecting it. He considered it quite possible that in a longer time those errors might become so serious as to have the effect he had pointed out, and that the original local purposes of the reserves might be forgotten, and the land absorbed into the general property of the New Zealand University.

The Hon. Mr. HOLMES wished to say a few words with regard to this motion. When the reserves in Otago and Canterbury were under the consideration of the Council this question received very great attention, and the decision arrived at then was that the administration of the University reserves should vest in the Waste Lands Boards, because that was both the cheapest and the most efficient plan. He thought no change should be made in this case, any more than in the case of the reserves made previously.

The Hon. Sir F. DILLON BELL merely wished to say with reference to this motion that, when last year he moved for a return of the condition of the reserves for higher education, it was his intention to take an early opportunity of endeavouring to have the whole subject investigated, before any further step was taken in respect to the management of those reserves. That return had only just been presented to Parliament, and he had had the advantage of a conversation on the subject with the Secretary of the Education Department, whose duty it was to collect the information upon which the return was founded. It had taken that gentleman two months of incessant nightwork to produce the information which had now been furnished. And unless honorable members had looked at the return, he did not think they were prepared to hear that, at a moderate estimate, the value of the reserves at the present moment was not less than one and a half million sterling. He had long been impressed with the belief that it was the duty of the colony to review the mode and extent of the reserves which had been made, and their management. He would be very unwilling to see a measure brought in this session, when they hardly had a spare moment, dealing with a question of such large magnitude, affecting the welfare of the people of New Zealand to so great an extent, and involving property of such great value, hurriedly pressed through without consideration. He thought his honorable friend Mr. Miller must see that the whole question was one which was far too large to ask the Government to consider at this time of the year, and that the most they could do was to ask the Government to take the subject into consideration, with the view of proposing some general legislation next session. For his part, devoting as he had done a great deal of attention to this matter, and being anxious to have an investigation made into it, he should still think it his duty next session to call the attention of the Council to the necessity for looking at it in a far more comprehensive way, and with a great deal more attention than had yet been devoted to it.

The Hon. Mr. WATERHOUSE thought the Hon. Sir F. Dillon Bell had shown conclusively that it was not desirable to proceed with this resolution in its present form. There was no amendment before the Council, and they had no declaration from the Hon. Mr. Miller of his intention to amend the motion in any way whatever. The Hon. Sir F. Dillon Bell had clearly shown that it was not desirable to proceed with this measure, at any rate during the present session. Should that opinion be entertained by the Council, it would be necessary to amend the resolution by striking out the words "during the present session." He thought the other reasons brought forward by his honorable friend were sufficient to show that before any action was taken the matter would have to be siftingly inquired into; and consequently it would not be desirable to tie the hands of the Government by binding them down to the appointment of the particular trustees mentioned in this resolution. He would therefore propose to his honorable friend this further amendment: That all the words after the word "University," in the fourth line, be struck out. The resolution would then read as follows: "That, in the opinion of this Council, it is desirable that the Government be requested to introduce a Bill for the purpose of appointing trustees for the management of the reserves mentioned in the petition of the Chancellor of the New Zealand University." It was, he thought, quite clear that this question must be dealt with as part of a whole, and of a larger question; and in dealing with this matter it was desirable that action should only be taken after the fullest information and after the most sifting inquiry. They could not tell exactly what might be the result of that inquiry, or in which direction it might indicate that legislation was requisite. Under such circumstances it appeared to him that it would not be desirable to tie the hands of the Government down in any degree whatever. It would be better to indicate their desire in favour of these matters being dealt with severally as mentioned in the resolution; and then, after a proper inquiry had been instituted, they should leave the Parliament to take that action which it might deem to be best. He would move the amendment which he had indicated.

The Hon. Mr. WHITAKER thought the discussion had shown very clearly that it would be injudicious to pass any resolution whatever on the subject on the present occasion. The Hon. Dr. Pollen had told them that the management of these reserves was already vested in the Waste Lands Boards. It might be that that was the best mode of management, but, at all events, if they passed this resolution it seemed to him that they would condemn that mode of management at once. He was not prepared to say that that would be a judicious thing to do. When the motion was proposed he stated that there would be no objection to it on the part of the Government, but made no promise that a Bill would be brought in during the present session: but at that time he was not aware how these reserves were being managed. It appeared to him a matter which required consideration—a matter which

Hon. Sir F. Dillon Bell

probably required legislation. But he thought now that it would be wise of his honorable friend Mr. Miller to withdraw his motion for the present. He would undertake, on the part of the Government, that the whole question should be considered before next session; so that, if legislation were necessary, it might then take place upon the basis of the Council having all the needful information before it in order to deal properly with the subject. He saw no advantage in passing the motion, because if it were passed now, and it were found hereafter that it was not desirable this course should be taken, the Government would be to that extent hampered in proposing another course. He would suggest therefore that the honorable gentleman should withdraw the motion, or he should feel it his duty to vote against him.

The Hon. Captain FRASER said it had already been found that these University reserves were impeding settlement, and he believed it had been the intention of the late Government to deal with them in such a manner as to prevent their having that effect. He would be very sorry to see them tied up in the way proposed by the Hon. Mr. Miller, and the question had better be deferred for another year.

The Hon. Mr. MILLER, in deference to what appeared to be the general wish of the Council, asked leave to withdraw the motion. He thought the Hon. Dr. Pollen had put the case in rather too strong a light from his point of view. By the Act of 1868 certain reserves were made for a Colonial University. It was quite true, as his honorable friend had said, that by the Act of 1874 the proceeds of these reserves were appropriated for the purposes of higher education. Would it be denied that the New Zealand University was at present fulfilling all the functions of that higher education?

The Hon. Sir F. DILLON BELL.—Yes, it would be denied.

The Hon. Mr. MILLER thought it was open to argument, at any rate. In the report of the Commission on Higher Education, which had been laid before Parliament, a very favourable view was taken of the functions of the New Zealand University, and that view entirely agreed with what was a growing feeling at Home with regard to the proper functions of a University. It had been the fashion to find fault with the New Zealand University on account of its being merely an examining body; but the definition of the term "university" was not now the same as it was formerly. Honorable members would find that the Universities at Home were now providing lecturers in the large towns of England, whose duty it was to offer information to people not resident in Universities, and to test their standard of merit by periodical examinations. He merely mentioned these things to show that the functions of the New Zealand University were quite in accord with the accepted definition of the term "university," and the report of the Royal Commission went entirely in that direction. There seemed to be a misapprehension as to whether the Government should deal with these reserves. If they could, by all means let this motion be withdrawn, and

let the Government deal with the matter; but, to whatever purpose the reserves were to be appropriated, or to whomsoever they were to be allotted, it was a great pity that all this land should be allowed to lie waste without any revenue being derived from it. From the evidence attached to the report of the Royal Commission it would be found that a distinct offer had been made for some of the reserves at something like 9d. an acre for 10,000 acres; and probably more than that would be got. He had no doubt a very considerable revenue could be raised if proper measures were adopted, but no steps had hitherto been taken in that direction. Government after Government had put off the question, and nobody seemed to take any trouble about it; and it was not only natural, but almost incumbent, on the New Zealand University to take such steps as might seem desirable for the purpose of utilizing these reserves. He would ask leave to withdraw the motion, hoping that the Government would not rest contented with a mere cursory examination of the subject, but would see what powers there were to deal with these reserves; and, if there were powers, let the trustees be appointed.

Motion, by leave, withdrawn.

AWATERE SHEARING RESERVE BILL.

The Hon. Captain BAILLIE, in moving the motion standing in his name, would make one or two remarks with reference to the Bill to which it referred. The other day the Committee examined the Bill, and found that certain requirements as to notices had not been complied with. At the second meeting of the Committee his honorable friend the Attorney-General was present. When he proposed the honorable gentleman's name as one of the Committee he was asked why he did so. The result had proved that the appointment of the honorable gentleman to the Committee had been a very wise step, and in this instance it was very lucky that they had the advantage of his experience and legal knowledge, for, as soon as he took the Bill up and examined it, he said, "This is a Bill which affects lands of the Crown, and it also involves a question as to the appropriation of the proceeds of those lands to a certain purpose." The Committee, after giving the matter some consideration, arrived at the opinion that the Bill ought to be introduced in the other House.

Motion made, and question proposed, "That the report of the Local Bills Committee upon the Awatere Shearing Reserve Bill be considered."—*(Hon. Captain Baillie.)*

The Hon. Sir F. DILLON BELL said the point at issue in this case was rather a recedite one. The reserve in question was originally granted under the Public Reserves Act to the Superintendent of Marlborough. By the operation of the Abolition of Provinces Act the tenure of the Superintendent became vested in the Governor; so that, as the Attorney-General pointed out, the Bill applied to the proceeds of a proposed sale of the reserve after it had been brought back to the control of the Crown. Thus it became a question of dealing with the rights of

the Crown and of the public, and it was therefore thought necessary by the Local Bills Committee that the Bill should originate in the House of Representatives. He did not know what his honorable friend proposed by the terms of his motion, that the report should be "considered." It would be necessary to give some definite expression of the opinion of the Council, either in concurrence with, or in opposition to, the report of the Committee.

The Hon. Captain BAILLIE would ask permission to amend the motion by substituting for the word "considered," the words "agreed to."

Leave granted, and motion, as amended, agreed to.

LUNATIC ASYLUMS.

The Hon. Colonel WHITMORE, in moving the motion standing in his name, said it was tabled in consequence of the discussion which occurred the other day in the Council on the subject of the relative performance of their duties by the Provincial and General Governments, in administering the lunatic asylums. He was not speaking only for the Government to which he belonged, but also for that which preceded it. He was bound to vindicate the remarks he made on the previous occasion, by having all the information that could be obtained on the subject placed before the Council. It would then be clearly seen that when the General Government took over these institutions from the provinces it had a very heavy task before it—not to keep up a certain standard of excellence, but to remedy an immense amount of deficiencies that then existed in these important establishments. It would be found that something like two hundred thousand pounds' worth of education buildings had to be provided for; that a sum of £72,000—a great deal more than had been spent on all the lunatic asylums put together—had to be spent on the lunatics of the colony; and that, notwithstanding, at the present moment they were very far from overtaking the arrears of building accommodation. It would be found that, whereas in but one or two of the provinces had proper provision been made for police, the General Government had within the last two years furnished proper police buildings, on a modest but sufficient scale, to all the districts in New Zealand. And it would be found that even in the gaols very considerable increases and improvements had been made. There was a limit to the amount that could be done in any one year in the way of building—an amount not only limited by the means of the country, but by the circumstances which must exist in all places where such works were carried out. Even in Wellington honorable gentlemen could see buildings, some of which were constructed of wood, which took years to build; and how was it possible that in lunatic asylums in country places, where the first step required was to build cover for the workmen, they could all in a moment produce the full accommodation that was required for a large number of patients? The new asylum in Dunedin had now reached the point at which tenders were to be invited for the erection of accommodation for 300 persons; and accommoda-

tion for 74 had been provided already there. It would certainly be some time before that building was completed, but they must wait that time. It would be absurd to run up buildings that would not be of a permanent character, when they knew that, far from being able to dispense with them in a short time, they would always have to keep on increasing the accommodation. He did not wish to draw any contrast between the work performed by the Government to which he belonged and that done by the preceding Government; but this he did say, that there could be no ground for drawing an invidious comparison against the late Government; and, when the information he had called for was on the table before honorable gentlemen, he scarcely thought they would urge that upon this ground at least there was any accusation to be levelled against the late Government. There were some things in the government of a country that should not take a political character; and, if there were any branches of administration in reference to which Ministers should not tout for popularity, they were just such branches as the care of the sick and the lunatic, and the management of the police. Those were things which ought to be outside politics altogether. He assumed that they were all, in common humanity, impressed with the necessity of looking after these poor people who could not look after themselves, and therefore that every Government would do its utmost, and be limited only by circumstances which must affect all Governments. He could hardly imagine that any one would urge that a Minister, however much he differed from him in his political views, would be so hard-hearted as to entertain any other desire. Speaking for himself, he had made it his duty to visit all the lunatic asylums in the colony but one, and that one he would have visited if he could have spared the time: it was the asylum at Hokitika. But he had the satisfaction of knowing that the arrangements at that place were in all respects excellent; and the little additions he was able to provide for the accommodation of some twelve or fourteen lunatics entirely met the requirements of the place. Visiting these institutions as he had done, he had never come from any of them without feeling very great distress at their crowded state. But that was nothing new. It was less than it was when the General Government took over these institutions three years ago, and all the increases that had been made had been of a solid character. If there were any delay in completing the accommodation for 350 or 400 people now being got ready, it was because it was thought wiser to erect these buildings in a permanent way, and on a satisfactory principle, and not to hurry them up in a slip-slop manner merely for effect. He would sooner take the blame of being in arrears, if such a blame could justly be laid upon his shoulders, than do what he believed to be unwise in regard to erecting new buildings. He had great pleasure in knowing that Dr. Skae, whose report was before the Council, was quite satisfied with the arrangements made for the new buildings. In passing, he might make this remark: that just when he took office a fire had occurred at the Auckland

Hon. Colonel Whitmore

Asylum, which deprived that portion of the colony of lunatic accommodation, and added to the difficulties of the Government. Everything had been done that was possible to put the injured portion in repair, and to build wings—wings, he might add, which the males would occupy as soon as the whole building was complete, and the females went down from the present temporary refuge. The new asylum, he might mention, was now some twenty feet above the ground, and was a large building, built of brick, and would be very substantial. While he deprecated, as far as was proper in a matter in which criticism was personal to himself, political capital being made out of the management of these institutions unless it could be shown there had been disgraceful neglect, he thought it would be found that there had been no such neglect since these institutions came into the hands of the General Government.

Motion made, and question proposed, "That there be laid upon the table a return showing the amount expended in each year, and liabilities incurred, in each provincial district since the passing of the Abolition Act, for gaols, police, education, and lunatic asylums."—(*Hon. Colonel Whitmore.*)

The Hon. Sir F. DILLON BELL, before the Council agreed to the resolution, would like to call the attention of the Hon. the Attorney-General to certain matters urgently required in connection with the lunatic asylums, in order that he might lay the subject before the Government. He reciprocated the wish of the Hon. Colonel Whitmore that a subject so painful should not be made a vehicle for party politics, or the groundwork for unnecessary accusations; and, if in the previous discussions he erred in that respect, he was sorry; but he was glad that the honorable gentleman had not on this occasion accused Parliament of having refused to grant necessary appropriations for the lunatics. He did not blame the late Government or any Government particularly for failure in that respect, because the outlay of a considerable sum of money was involved in that; but there were matters pointed out in the report of Dr. Skae the existence of which must be a cause of shame to any civilized community, and ought not to have to be referred to in any paper presented to Parliament. He called the attention of the Attorney-General to the following extracts:—

"There is almost a total want of furniture throughout the male department, and upwards of fifty patients sleep on the floor for want of beds. . . . At this last inspection the attention of the Superintendent was directed to the fact that the clothing of the patients was not warm enough for the time of the year, as they were not supplied with flannels. It is obvious that, if strong healthy attendants, engaged in active occupations, find it necessary for their comfort to wear these, lunatics, whose circulation is enfeebled by their disease, and who lounge about in airing-courts, must require them still more. It is unreasonable to suppose that the absence of complaints on the part of the patients,

and of any manifest indications of injury, such as colds, &c., is proof that they are suffering no harm from insufficient clothing. . . . The clothing of the patients did not appear to be sufficiently warm for the season. Very few of them had on flannels, which should certainly be supplied to them all, and more especially to the poor demented ones of feeble circulation, many of whom take no exercise beyond a listless saunter up and down the yards. . . . It is absurd to pretend that this place, in its present condition, has any claim to be considered 'an asylum;' it would be an undeserved compliment to call it 'a prison.' It is not morally justifiable to continue week after week adding to the number of its inmates."

But he would read no more. It was in these details, not in the want of buildings to cost £100,000 or £200,000, that the fault of the Government lay. Why did not the late Government give an officer like Dr. Skae power—

The Hon. Colonel WHITMORE.—Dr. Skae had plenty of power.

The Hon. Sir F. DILLON BELL said, in that case he should make it his business to inquire into the matter. Such a statement reflected discredit on Dr. Skae; and he should make it his business to tell him what the late Colonial Secretary had said—that he had ample power to prevent these things. He would ask Dr. Skae why he called the attention of Parliament to matters, when he had, according to the late head of his department, ample power to remove them at once.

The Hon. Colonel WHITMORE complained that the honorable gentleman had a habit of exaggerating. He said Dr. Skae ought to have been able to see to these matters, and that Dr. Skae had ample power to bring matters under his (Colonel Whitmore's) notice. This paper, to which reference had been made, was not written for Parliament, but for the Colonial Secretary, as a guide for the work of the next year.

The Hon. Sir F. DILLON BELL begged the honorable gentleman's pardon. He had understood him to say Dr. Skae had ample power to remedy such defects.

The Hon. Colonel WHITMORE had told the honorable gentleman that Dr. Skae had power to bring the matter under his (Colonel Whitmore's) notice.

The Hon. Sir F. DILLON BELL begged pardon: then he would ask Dr. Skae why it was he had not called the attention of the Hon. Colonel Whitmore to the subject. He regretted that the honorable gentleman seemed to attribute to him (Sir F. Dillon Bell) feelings hostile to him. That was not the case, and he thought it quite improper that an honorable member who had to call the attention of the Government to crying evils should be subject to such imputations. He altogether disclaimed any such motives. He neither had them nor was he to be accused of having them; but the fact of this report having been presented to Parliament by the Colonial Secretary, and that the Government had not taken the necessary steps to remedy this state of things, though the expense would have been trifling,

showed that they had not fulfilled one of their highest duties.

The Hon. Mr. REYNOLDS hoped that the Hon. Sir F. Dillon Bell would not think of speaking to Dr. Skae, because it was scarcely expedient that members of either branch of the Legislature should at all interfere with the officers of the Government. If he (Mr. Reynolds) were a member of the Government he should inform Dr. Skae that he was to pay no attention to anything said to him in such a manner. The remark had grieved him, because he really thought that a gentleman of so large experience as Sir F. Dillon Bell should not have so spoken. There should be no interference between the Government and its officers.

The Hon. Captain FRASER saw nothing very irregular in the proceeding of the Hon. Sir F. Dillon Bell. Only that very day he (Captain Fraser) had asked the Colonial Secretary a question about the coal mines, and had been referred to a gentleman from whom he got all the information he required. He might add that the coal mines were just now in a very dangerous position, and from day to day the colony might expect to hear of another disaster similar to that which shocked the people a few months ago, because there were only single shafts. The late Government had drafted a Bill on the subject, but he hoped the present Government would not bring it in. All that was needed was to amend the Bill of 1874 by striking out clause 10 and introducing clause 12 of the Imperial Act. But he was surprised at the remark of the Hon. Mr. Reynolds. Why should information not be obtained from Dr. Skae?

The Hon. Mr. REYNOLDS.—Let it be got from the Government.

The Hon. Captain FRASER was surprised at the honorable gentleman. In the language of his country, one fact was worth a cartload of argument. His fact was this: that the lunatic asylums were in a disgraceful state, and required the closest and most immediate attention. He was sorry the Attorney-General had not taken the hint given the other day with regard to relieving the overcrowded condition of the Wellington Asylum.

The Hon. Mr. WATERHOUSE said in the few remarks he had to make he hoped the Hon. Colonel Whitmore would not think he was influenced by any other desire than that of obtaining information satisfactory to the Council and to the public. He noticed that the report of Dr. Skae which had been referred to was dated July, 1879. Dr. Skae received his appointment in 1876, so that at the time this report was made he had been in office for three years; and he (Mr. Waterhouse) should like to know how it was that these circumstances only came to the knowledge of the Government lately, and, if they came to their knowledge earlier, why it was that they allowed things to remain in this condition until they culminated as described. That was information the Council might reasonably desire to have. It seemed to him in either case there must be some one to blame.

The Hon. Colonel WHITMORE, in replying

on the debate, said this report of Dr. Skae's was a report for the year, and it was possible, as to the want of clothing, that, in consequence of the lunatic asylum at that particular place being overcrowded at the time of Dr. Skae's visit, there might not have been full provision. He had carefully looked into the condition of the asylums, though he might not have gone so far as the Hon. Captain Fraser, who might be said to have a craze in regard to lunatics. This year's report was not the first which drew attention to the crowding of the patients. The report of 1878 also drew attention to the fact of there not being enough accommodation; and that accounted for the greater expenditure during the following year. As the Hon. Sir F. Dillon Bell had said, the new matters he mentioned were inexpensive things to remedy, and they would have been remedied in ordinary course. But Mr. Hume, of whom the Hon. Captain Fraser spoke so highly, did not say that there was anything short when he (Colonel Whitmore) went over the building. With Professor Macgregor, he complained that the accommodation was insufficient, but there was nothing said of shortness of clothing or want of comfort on the part of the lunatics. Professor Macgregor expressed the opinion that it would be better to cut people's throats than to shut them up in such a small space as these poor lunatics were confined in. But relief was given by removing 74 patients immediately after that visit, and a brick building to hold 300 was going on as fast as was possible. If the honorable gentleman looked at former reports, he would see that it was estimated that the accommodation handed over by the provinces sufficed for 529 patients, and, if the same scale were applied to the increases, it would be seen that the General Government had made provision for about 250 already. During the last eighteen months the Government had given accommodation for 136 more patients on the scale that Dr. Skae thought was necessary, and there would be new accommodation for 293 during 1880. Thus the gravamen of the charge was completely disproved. The other point was a matter of detail, and, had he been wiser, perhaps he should not have considered it a matter at all necessary to come before Parliament. It was the duty of Dr. Skae to call his (Colonel Whitmore's) attention to such matters, while Dr. Skae's attention would have been attracted to it by local authorities, who would have derived their information from the masters. Perhaps Dr. Skae visited the asylum at dead winter, and noticed a shortness; and it was hard to understand why the deficiency should not have been remedied at once, because a telegram would have been quite sufficient, and no voucher for such things had ever been refused. He would admit the fact of having but small accommodation; but, for the sake of the colony, he could not admit that these people had been treated cruelly. The Hon. Captain Fraser justly said there was nothing unusual in members of Parliament speaking to under secretaries with the permission of the Minister; but that was just what the Hon. Mr. Reynolds did not object to: and he (Colonel

Hon. Colonel Whitmore

Whitmore) might add that members of Parliament took up so much of the attention of under secretaries unknown to Ministers as to cause much inconvenience to the departments.

Motion agreed to.

The Hon. Colonel WHITMORE moved, That there be laid upon the table a return, showing what amount of accommodation for lunatics existed in the colony on the 1st October, 1876, 1st October, 1877, and 1st October, 1879; and, further, how much additional accommodation was in course of construction on the latter date at the several asylums, and at the several centres of population in the colony.

The Hon. Dr. POLLEN thought he might venture to say it was in consequence of some little irritation under which his honorable and gallant friend laboured a day or two ago that this motion was placed upon the Paper. The honorable gentleman thought that something like a party attack had been made upon him, and proposed, as he (Dr. Pollen) understood him at the time, to vindicate the Government of which the honorable gentleman was a member from the charges that were made against them. He must deprecate entirely any party sentiment or feeling of any kind or sort in his dealing with this matter. If there was any feeling of party at all with the honorable and gallant gentleman, Captain Fraser, who first moved in this matter, it was not one of opposition to the late Government. This question was beyond party. It went deeper and higher than the interest represented by the gentlemen on the Ministerial benches or the gentlemen on the Opposition benches. It was a question affecting the character of the colony. He thought that all the information asked for would be found already given in the reports which Dr. Skae had furnished since his arrival in the colony—at any rate, for all practical purposes. In 1874 he (Dr. Pollen) was in charge of this department, and he took the trouble to visit nearly all the lunatic asylums in the colony except that which the Hon. Colonel Whitmore had referred to—Hokitika; and he was so much impressed with the horrible condition of the lunatics that he made it his duty to insist that there should be, at the earliest possible moment, a responsible officer appointed, in whose charge all these institutions should be placed. When Sir Julius Vogel went Home in 1874 it was one of the duties he undertook, to obtain a competent person. In February, 1876, Sir Julius reported that he had taken some action in the matter, but that he had not succeeded in getting a suitable person. In July, 1876, Dr. Skae had accepted the position, and had entered upon the duties of his office; so it was not until 1877 that his first report was laid before Parliament. In that report he showed that there were 783 lunatics in the asylums of the colony, and that the accommodation for them was, as it is still, exceedingly bad—indeed, that for only 270 of these could it be said there was any accommodation at all. On the 1st of January, 1877, there were 338 males and 125 females, making a total of 513, for whom it could not be said there was satisfactory accommodation. In

the next year's report, dated the 26th January, 1878, it was shown that 464 males and 164 females—in all, 682 in the several asylums—were in the same melancholy position—that is to say, there were that number for whom there was no satisfactory accommodation. The increased number, no doubt, was due to the Auckland Asylum having been burned during the year. In Otago some addition was made to the asylum accommodation, by which the crowding was decreased. In his report of this year Dr. Skae stated that there were 389 males and 190 females, making a total of 579 lunatics, for whom there did not exist "proper" accommodation—he had omitted the word "satisfactory," and used the word "proper." That was to say, that three months ago there were 579 lunatics in the asylums of New Zealand for whom there was no proper accommodation. Provision was being made, as his honorable and gallant friend had told them, and as Dr. Skae reported, for additions to the Auckland Lunatic Asylum and to the Christchurch Asylum, which would afford additional accommodation for 157 lunatics. These additions would be completed in 1880. The Auckland Asylum would be finished by July in that year, and the Christchurch Asylum by September. Deducting these 157 lunatics from the 579 for whom there was not proper accommodation, there would be 322 left; and if to that number were added the annual increase in all asylums—put down at 80, or 120 for the year and a half—there would be at the end of next year 442 lunatics in New Zealand asylums, for whom, notwithstanding the additional accommodation which had been already provided in the Seacliff Asylum, and which was being provided in Auckland and in Canterbury, there would not be proper accommodation. Dr. Skae went on to say that, at the rate at which the increase was now going on, there would be in July, 1881, 1,125 patients in the colony, or 562 in excess of what there was accommodation for. That was a difficulty which the Government would have to face, and which he hoped they would meet in some shape or another. He trusted it would be perfectly understood that in anything he had said, or that other honorable members had said, they were not actuated by anything that could be called party feeling, or a desire to find fault with anybody. He was simply indicating the existence of this cruel condition of affairs in the hope that something would be done at last to apply a remedy to it. In his report for 1878 Dr. Skae put down the sum necessary for additional accommodation at £186,000. Those were very alarming figures at that time, but since then people had learned to view long lines of figures without much alarm; and, seeing how easily £50,000 or £150,000 could be found for other purposes, there was still hope that sufficient pecuniary provision could be made for the wants pointed out in these reports.

The Hon. Colonel WHITMORE said his honorable friend had glanced at the exact reason why this report should be before the Council. It was because it was necessary to have all these things put under one kind of system, so as to enable the Council to understand what sort of accommoda-

tion was really intended, and which Dr. Skae called in some cases "proper accommodation," and in others "satisfactory accommodation." Then the Council would be able to see how far the Government, in the discharge of its duties as successor to the Provincial Governments, had carried out the functions it had taken upon itself. Dr. Skae's report said that there were 210 lunatics who had no proper accommodation, but who had "accommodation of a sort." When the General Government took over the hospitals there was little else but "accommodation of a sort;" and at that time there were 254 patients too many in the asylums. The late Government had therefore slightly overtaken the excess, and all the buildings they had supplied were of a much better kind than had been previously provided. Considering that in 1877 there was not time to do much; that investigations had not been carried out sufficiently to show what was required; that there had been since then the disastrous fire in the Auckland Asylum; that there were fewer people now without accommodation than there were when these institutions were taken over from the provinces; and considering the delay necessarily occasioned by the erection of more substantial buildings, he thought it would be acknowledged that the difficulty was being gradually overcome. That was that all could be expected. He did not think the money that would be available in any one year for lunatic asylums would be sufficient to do more than partly meet the difficulty. The additional accommodation put up would, however, be good. If, instead of throwing out his Bill, and thereby continuing to crowd the asylums with habitual drunkards, proper accommodation were found for them apart from actual lunatics, who were much injured by contact with such persons, it would have been far better—there would be more room in the asylums, and the inmates would have a better chance of recovery. He hoped these papers would be supplied, as they would show that the late Government had done their duty, and that there had been a progressive gain upon the arrears handed over to them. When the very large amount of building to be done by the Government was considered, and the limited supply of money at its disposal, it must be acknowledged that there was not so much to complain of as some honorable members would appear to imagine. The Public Works Department had not the plant or the means at its disposal to carry out more than a certain quantity of building during the year. It could, he thought, be shown that a very great many more police-stations existed now than when the late Government took office; that schools had been built all over the colony, even in the smallest places: and, when all these things were borne in mind, he thought he was justified in saying that the late Government took a vote for all that it was able to expend in this direction. He did not want to throw more responsibility on the Legislature than he ought fairly to do; but he thought, in this matter of lunatic asylums, it was not on the unfortunate Government who had to put the matter before the Legislature in all its nakedness

that the blame should rest, but on the country in the past. He wished the report to be laid before Parliament in the baldest possible way, for he should like the country to see how the matter really stood. He did not feel that the smallest blame could attach to him from what appeared in the report. The report was not written for presentation to Parliament in its present form, but for submission to the Government; and, if he chose to put it before Parliament as it stood, he was ready to allow the honorable gentleman opposite to draw any conclusion from it he thought proper. The honorable gentleman might, if he liked, move a vote of censure on him; but that had nothing to do with the motion, which was for the production of what was an historical record of all the accommodation that had been supplied for lunatics for the period during which the General Government had had charge of these buildings. That was all he asked for, and he thought the Council should assent to it.

Motion agreed to.

The Council adjourned at twenty-five minutes past nine o'clock p.m.

HOUSE OF REPRESENTATIVES.

Tuesday, 4th November, 1879.

First Readings—Third Reading—Divorce Courts—West Coast Public Works—Patents Act—Native Expenditure—Offences against the Person Act—Waimea Plains—Waikaisa Railway—Maori Prisoners—Cambridge Courthouse—Lumsden—Mararoa Railway—Piako Swamp—Auckland Government Contractor—Maori Prisoners—Representation Bill—Imperial Supply Bill (No. 3)—Maori Representation Bill—Triennial Parliaments Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Gold Duty Abolition Bill, Rating Bill, Towns on Private Lands Regulation Bill, Otago Boys' and Girls' High Schools Bill, Chinese Immigration Regulation Bill.

THIRD READING.

Napier Swamp Nuisance Bill.

DIVORCE COURTS.

Mr. TURNBULL asked the Minister of Justice, If the Government will take into consideration the necessity of simplifying and rendering less expensive the procedure of the Divorce Courts of this colony, so that it shall not be necessary in all cases for suitors therein to appear before the Appeal Court? He had put the question on the Paper because it appeared to him that the law at present in force upon this subject was in direct violation of the principles of justice. Unless a person were prepared to pay a large sum in law expenses, there was no possibility of obtaining redress, because, after a verdict was obtained in the Supreme Court, it then had to be referred to the Court of Appeal, making the whole proceeding very costly. His desire was

Hon. Colonel Whitmore

to see cases of this nature dealt with finally by the Supreme Court, and he should be glad to hear that such steps were contemplated by the Government.

Mr. HALL said the subject was no doubt a very important one. It would be very carefully considered by the Government; but it was not likely that they would be able to take any steps with regard to the matter during the present session.

WEST COAST PUBLIC WORKS.

Mr. GISBORNE asked the Premier, If, in the account promised by the Government to some Auckland members, showing the expenditure upon the public works in different parts of the colony in every provincial district of New Zealand, it is shown that the west coast of the Middle Island has not received its fair share of what other districts have received, the Government will, as promised to those Auckland members in the case of Auckland, recommend to the House some way by which the balance due to the west coast of the Middle Island shall be made good?

Mr. HALL could only say, in this case, as he had already said with regard to several others, that in the administration of the public funds for purposes of public works it would be the anxious desire of the Government to do justice to all parts of the colony.

PATENTS ACT.

Mr. HUTCHISON asked the Government, If they will be prepared to bring in a Bill this session to amend "The Patents Act, 1870," to the extent of reducing the fees now payable for patents by one-half their present amount, and, further, of enacting that the cost of advertisements for the same need not exceed £3? He might mention that a number of intelligent artisans in this city were very much interested in this matter, more especially in mechanical inventions for a saving of time and labour in the ordinary industries of the country. Some of these desired to have their rights preserved by means of letters patent, but the fees, though not very large, were still too large for small tradesmen to pay; and, as it was very desirable that every encouragement should be given to the development of inventive talent, these fees should be reduced as much as possible. They managed these things better in America than we did—there was no other country in which letters patent could be obtained so cheaply; and, in the hope that encouragement would be given to inventions of this sort, he trusted the Government would give a favourable answer to his question.

Mr. HALL said that on inquiry he found that the fees payable to the Government in this country were, as a rule, not above those in the other colonies. The amount of fees paid to the Government was not large. The first payment was only £2 10s.; and other payments were made in subsequent years, if it was found to be worth the while of the inventor to maintain the patent. The greater portion of the cost incurred in the first instance by the patentee was for advertising. He

believed it would be possible to reduce the cost of advertising by abbreviating the form used for that purpose; and, as the Act required amendment in other respects, it was probable that a Bill would be introduced during the present session.

NATIVE EXPENDITURE.

Mr. HAMLIN asked the Native Minister, If he will lay before this House a return—(1) of expenditure by the Native Department from the 1st July, 1869, to 13th October, 1877, under the following heads: Native officers, food, clothing, gratuities, and contingencies; (2) a return of expenditure under the Civil list, for Native purposes, from 1st July, 1869, to 13th October, 1877?

Mr. BRYCE said he hoped to be able to lay papers on the table in a day or two which would satisfy the wishes of the honorable gentleman. If they did not, he should be happy to meet his views by supplementing them.

OFFENCES AGAINST THE PERSON ACT.

Mr. STEVENS asked the Colonial Secretary, Whether the Government will, during the recess, consider the expediency of amending the Offences against the Person Act, by extending the provisions of section 67 to cases coming under section 40? He asked the question instead of putting on the Paper a motion, which might not come up, and delay might thus be caused in the consideration of a subject which he regarded as being of great importance. It seemed to him that some more stringent provisions than now existed were required to deal with persons who committed violent assaults on helpless persons—by men upon their wives, and on others; and he would refer the Government—in the hope that they would consider the question during the recess—to the remarks made by the Resident Magistrate at Wellington, as reported in the Wellington papers of the 25th of October. He did not now ask the Government to express any opinion upon the matter, nor did he intend to express any opinion upon it himself at the present time; but he thought the subject was worthy of the consideration of the Government, with a view to prevent the occurrence of such offences.

Mr. ROLLESTON admitted the necessity for some steps being taken in the direction indicated by the honorable gentleman, and promised that the Government would consider the matter during the recess.

WAIMEA PLAINS-WAIKAIA RAILWAY.

Mr. IRELAND asked the Government, If it is their intention to grant the prayer of the petition of 123 residents of Waikaitia and neighbourhood, in reference to survey and construction of a railway from Waimea Plains line to Waikaitia, and towards which a sum of £5,000 was appropriated, but not expended, in 1878?

Mr. OLIVER said he would be able to give a definite reply to the question when he brought down the Public Works Statement.

MAORI PRISONERS.

Mr. TOMOANA asked the Government, What

steps they intend to take respecting the Maori prisoners now in Mount Cook Gaol?

Mr. ROLLESTON said the Government had the question under consideration, but he was not at that moment in a position to state what course they would take.

CAMBRIDGE COURTHOUSE.

Mr. WHITE asked the Government, If they will place a sufficient sum upon the estimates for the erection of a new Courthouse at Cambridge?

Mr. ROLLESTON said there was a sum on the draft estimates for the purpose. The subject would be considered along with other cases of a similar character before the estimates were submitted to the House.

LUMSDEN-MARAROA RAILWAY.

Mr. H. HIRST asked the Minister for Public Works, When the Government will call for tenders for the next section of the Lumsden-Mararoa Railway?

Mr. OLIVER said the next section of the line would be tendered for about two months hence.

PIAKO SWAMP.

Mr. REEVES asked the Colonial Treasurer, What was the actual amount of money paid for the Piako Swamp by the parties who purchased the land from the Government; the capital value of the property, as estimated by the Valuer under "The Land-Tax Act, 1878;" also the amount for which the said property was valued by the Valuer under "The Land-Tax Act, 1878," for the purpose of taxation under the Act?

Major ATKINSON said the amount paid for the Piako Swamp by the persons who purchased from the Government was £13,152 3s. 9d. The estimated capital value of the property, as estimated by the Valuer under the Land-Tax Act, was £200,300. The value under the Land-Tax Act for taxing purposes was £126,180.

AUCKLAND GOVERNMENT CONTRACTOR.

Mr. SWANSON said he had half an hour previously received a telegram stating that a Government contractor had made default. The hands struck work, and the result was, that the contractor had sent them about their business, and taken on fresh hands. He would like to know what action the Government would take in a case of that kind.

Mr. OLIVER said the Government would be prepared to exercise its power, and use a certain portion of the money due to the contractor to pay the workmen.

MAORI PRISONERS.

Major ATKINSON moved, That Mr. Speaker leave the chair, in order that the House might go into Committee of Supply. He did so with the double object of passing another Imprest Supply Bill, which had again become necessary, and also of proposing a resolution which the Controller desired should be passed. The Public Account at the present time appeared to stand overdrawn by a very large amount. It was not

so in reality, because the agents at Home had been directed to place, and no doubt had placed, money to the credit of the account; but, as the law stood, orders sent Home had to be charged to the account, and that would make it appear to be overdrawn to the extent of £750,000. As Parliament was in session, the Commissioners of Audit did not think it would be right to allow the Public Works Account to be further operated upon without a resolution of the House authorizing the Government to do so.

Mr. TOMOANA.—I desire to have a clear explanation concerning the Maoris lodged in the Mount Cook Gaol, because at the close of last session a Bill was passed affecting them, which provided that within a month from that date they were to be tried. Now, the time specified in that Bill has passed, and that is why I ask the Government what they intend to do with regard to those prisoners. I am thinking to myself whether they are legally detained in that prison, or whether they are kept there by the will of certain persons. It was stated, at the time the Bill was passed, that a month from that date these prisoners were to be tried. That time has expired. My idea is this: Now that the Grey Government have been defeated and are out of office, the new Government should take some new steps concerning those prisoners. I also think that now there is a new Government they should administer the law in connection with the Maoris. They should not follow in the steps of the old Government. If this sort of thing goes on—if each Government as it goes into office takes up and continues the bad works of the preceding Government—there will be nothing done at all for the good of the Maori. You will never be able to administer Maori affairs. No good will accrue to the Maori, as you think only about yourselves. Something for their good should have been done during the time they have been in prison. In my opinion these people should be released. They should be allowed to go to their own homes, and the promises made to them by the Government should be confirmed. I do not say that only their persons should be returned to the places they come from, but their lands should also be returned to them. This is no foolish idea; it is an idea that prevails among you as well. I may be ignorant; but I believe the prisoners are detained illegally. Those against whom charges have been proved have been taken to the other Island; and why are these left here? Why were they not taken also to the same place? That is why I say the law has no hold on those people. They are kept there now according to your own ideas. No member in this House gave notice of motion or moved any resolution affecting the Maoris and prolonging the trial. If those prisoners had done anything which had been done in this Island before—had killed any person—it is quite clear you would be doing right, and we would all join together in keeping them in prison. In conclusion, I say, let those people be taken back to their lands, and let them also have their lands which were promised to them. Do not return only their persons to their homes, but return to them their lands, in order

Major Atkinson

that we may be clear hereafter in talking about them, and that we can say we have done a good thing to the Native people of the Island.

Major TE WHEORO.—I speak in support of the speech of the honorable member for the Eastern Maori District. The House should give effect to what was resolved here last session—namely, the trial of those prisoners a month after the session was opened. That month has passed, and I consider that they should now be tried, so that the House may carry out what it intended to do when it said they should be tried. Then the Government can arrange some line of procedure afterwards in returning those Natives to their homes. The Government can then fulfil what promises the previous Government made, and let them be settled absolutely. After that is done we can then watch these people and see if they do wrong. I do not think the fault lies solely with those prisoners. We are to be blamed to a great extent in bringing them here, and also on account of the promises that the Government made to them respecting the land not having been fulfilled. I agree with the honorable member for the Eastern Maori District that they should be released, but on the understanding that they are to be tried. We may then learn the grounds upon which they were brought here. This is the most important thing occupying the minds of the Maori members. I say, Carry out the work of this House in trying those prisoners to see if they are in the wrong, and inquire fully into the arrangements of the Government in regard to those Natives and those promises about land. I said something in a speech of mine the other week about troubles arising through the mismanagement of the Native Office. That is why I shall not have much to say now. That is why I say this question should be fully inquired into, and we may then learn the grounds upon which the prisoners were brought here. I ask the Government not to allow this question to be delayed, but to enter into it immediately and take the steps required.

Mr. ROLLESTON.—I do not know that I have much to add to what I said before when the honorable gentleman placed a question on the Paper. The question is, no doubt, one of considerable difficulty—a difficulty which has not been the growth of a day, and which cannot be settled in a day. I have no wish except to give such an answer as the honorable gentleman would desire; for the Government are really as anxious to get this question settled as he himself can be. He is quite right in regard to the Act which was passed; and, in accordance with the provisions of that Act, the ordinary course of law after a certain time must be followed. At the present time there is no intention on the part of the Government to interfere with the ordinary course of law, and it has not been interfered with. Those prisoners are detained in the ordinary course of law until the time of their trial. I do not know that I can say anything more. I am not in a position at the present time to state what course the Government may take. When I am in a position to state that, it will be fully notified to the House.

Mr. SHEEHAN.—I should like to say a few words in regard to this matter, because I think it should be cleared up. The Act of last session did not require that the prisoners should be taken to trial before the expiration of a month. It gave the Governor certain powers, to be exercised within a month after the House met if he thought proper. But, before that Act expired, counsel for the prisoners asked for an adjournment, and it was given. Both parties went before the Court; and both parties agreed to an adjournment until a few days before the end of the year, when a special sitting of the Supreme Court is to be held. Under these circumstances the Maori members have no cause to complain, although I believe it would be desirable to bring the prisoners to trial as soon as possible. I have been told that the Government are considering the advisability of releasing the prisoners without trial. I do not believe it; but I think if there is any intention of this kind this House should know beforehand. Even at the expense of offending my Maori friends in this House, I say this much: that the simple releasing of these people without any trial would be attended with serious consequences, and would lead to a disturbance of the public peace. Let them go to trial, and, if not guilty, let them be released by a verdict according to law. If they are to go to trial I should like to see it come off as soon as possible. If these men were released without a trial they would by their return make Te Whiti a great power in the State, and nothing but the most disastrous effects would follow. If they have a good defence to make, let them have an opportunity of making that defence, and, if acquitted, let them be released by the ordinary course of law, and let justice be done. I am quite sure that my friends the Maori members of this House, if they understood the position of the matter, would admit that they have no cause of complaint whatever. I hope the Government will bring these prisoners to trial as soon as possible.

Mr. GISBORNE.—A Native member has asked the Government what is going to be done with regard to these prisoners, and the Minister of Lands answers that the subject is under the consideration of the Government. Then the Native member takes the opportunity of bringing the subject again before the House, and asks, What are the Government considering? The Minister of Lands again says that they are still considering the subject. That left a doubt on my mind whether they were going to interfere with the ordinary process of law or not. The Government cannot be considering the mode of dealing with these prisoners if they are to be brought to trial, because the law will deal with them. It is not usual to keep prisoners so long before they are brought to trial. As the late Native Minister says, the trial was postponed at the request of the Natives themselves. Surely the Government could have come to some conclusion, before this, whether they are going to interfere with the ordinary process of law or not. If they do not intend to interfere with the ordinary process of law, could they not come to a decision how they are going to act, and state why

they claim further delay? If they are going to leave the law to take its course, the Native member wants to know that fact: if not guilty, the prisoners will be released; if convicted, it will rest with the Crown whether the sentence will be remitted or enforced. The Native Minister and the Minister of Lands have had time, during the month they have been in office, to come to a conclusion whether or not they are going to interfere with the ordinary process of law with respect to these Native prisoners.

Mr. BRYCE.—I feel that the House will be prepared to admit that this forms part of a very difficult question—that it is a difficulty of a most peculiar kind. It is one regarding which we have had no previous experience to guide us. Some little allowance ought to be made for a difficulty of that kind. I am obliged to the honorable member for the Thames (Mr. Sheehan) for speaking in such a frank way, and in what I believe to be in the interest of the country. The Minister of Lands has been somewhat misunderstood by the honorable gentleman who spoke last, as his answer to the question was, that the matter was under the consideration of the Government, and he was not in a position to say at present what steps they would take regarding it. In the due course of law, a certain delay had arisen. It is possible the Government may make a proposal to the House on the subject, and that is one of the matters which are under the consideration of the Government. If the law is allowed to take its course, no doubt these people will go to trial before very long. As stated by the honorable member for the Thames, the trial was postponed at the request of counsel for the prisoners, and, if the trial is put off to a date beyond that period, that will in all probability be done at the request of the counsel for the Natives themselves. The honorable member for the Thames stated that the Maori members have had no cause of complaint; and I agree with him. As to our being a month in office without being able to arrive at any determination on this matter, I think that may fairly be held excusable, seeing that during a great part of that time we had a motion of a certain kind hanging over our heads. I would remind the honorable gentleman that he himself was in the late Government, not only during the first portion of this session, but during a considerable part of the recess, without having arrived at any positive determination on this matter. How he can taunt us now with undue delay in the matter is more than I can fairly understand. At any rate, I hope he will agree that it is a matter of difficulty, in which the greatest consideration should be shown, and that the Government should not be unduly pressed to publicly announce to this House any course they intend to take in the matter.

REPRESENTATION BILL.

Sir G. GREY.—I beg to move, as an amendment to the question of going into Committee of Supply, That the Representation Bill be now read a second time.

Mr. SPEAKER.—You cannot move, as an amendment to the motion for going into Com-

mittee of Supply, any Order of the day that appears on the Order Paper, such as the second reading of the Representation Bill.

Sir G. GREY.—I will move it in this form: That this House, before further considering the granting of supplies, is desirous that the Bill providing for the redistribution of seats be brought up and read a second time.

Mr. SPEAKER.—That would interfere with the prescribed order of business, and would not be a legitimate amendment on the motion for going into Committee of Supply. If I allowed such a motion, every honorable member might endeavour to bring up his own particular business in the same way on every occasion of the motion for going into Committee of Supply.

Sir G. GREY.—I would say that this is a grievance. It is a proper question to bring before the House previous to going into Committee of Supply. I will put it in this way: That this House, before further considering the granting of supplies, is desirous that the Representation Bill, which provides for the redistribution of seats, should receive the consideration of this House.

Mr. SPEAKER.—It seems to me that that is a direct interference with the prescribed business of the House. The business on the Order Paper cannot be interfered with or anticipated on a motion for going into Committee of Supply.

Sir G. GREY.—The Representation Bill has been put by the Government so far down on the Paper that it cannot be considered to-day. That is quite certain. Then, we are not allowed to bring up a pressing grievance under which the country labours because the Bill is put on the Paper in that way. It is quite clear that it cannot come up to-day, and it is clear that it is intended to shelve it by putting it so low down on the Paper. It is clearly our right to consider this grievance before going into Supply, otherwise the House may be put in the position that it will refuse supplies.

Mr. SPEAKER.—We cannot call up this Order, as the House has appointed another time for its consideration, and it is my duty not to allow Orders of the day or motions of which notice has been given to be anticipated in the manner proposed. It will come up in its proper course, when the House can dispose of it in some way or other.

Mr. GISBORNE.—Would it be competent to postpone supplies until the Representation Bill has been considered?

Mr. HALL.—Speaking to the point of order, I submit that, by our Standing Orders and the custom of this House, it is the duty of the Government to arrange their business in the manner they think most conducive to public advantage. If the Government have failed in the discharge of that duty, and have forfeited the confidence of the House, then the proper course is to bring forward a motion affirming that such is the case. If the House disapproves of the manner in which the Government are dealing with this question of electoral reform, let the honorable gentleman propose, and carry, if he can, a motion to that effect. We are respon-

sible for the order in which these Bills are put down for consideration. I trust, Sir, the honorable gentleman will submit to your ruling on the point of order, that this is a matter which cannot be interfered with. The duty of arranging the business is left with the Government, and cannot be taken from them unless the Standing Orders are suspended.

Mr. KELLY.—Would it not be competent for the honorable gentleman to move that the Orders of the day be postponed in order to take up Order No. 14—the Representation Bill? This course has been adopted before.

Mr. SPEAKER.—The Government, being in charge of all the Orders of the day prior to Order of the Day No. 14, "Representation Bill—second reading," would be at liberty to move the postponement of the previous Orders. But the postponement of the business that took place to-day, took place by consent of the House.

Mr. KELLY.—Of course.

Sir G. GREY.—I will put the motion in this way—it is so worded now that it will fall in with the Orders of the House: That this House, before proceeding with the question of granting supplies, desires to discuss the question of representation and consider the views of the Government thereon.

Mr. SPEAKER.—That is the same thing in other words.

Mr. SHEEHAN.—Sir, although we are called upon to accede to your ruling, I must say that I have on many other occasions moved similar resolutions, and they have been received by the Speaker. We are bound to obey your ruling. The doctrine always has been—Grievances first, and supplies afterwards. At the present time we have had no certain sound from the Government on the question of redistribution. It is an important question, and one which more than any other will disturb the House. We have had no declaration from the Government on the subject, and we do not know what their views are respecting it. As you rule that we cannot interfere with the order of business on the Paper, of course the matter stops there, so far as the amendment goes. It appears to me that we are entitled to have an expression of opinion from the Government, before supplies are granted to them, whether they intend to bring forward a Bill for the redistribution of seats, and whether that Bill will not follow the proposals contained in the measure which was introduced by the late Premier. This Bill is not the measure of the present Government, and it ought, as a matter of right, to have been struck out of the Order Paper. At the same time, it is important that this House should know whether the Government intend to call up that Bill—whether they intend to take up the Bill in its whole details, and in what respect they intend to alter it. To my mind it is part and parcel of the Bills which are now upon the Paper to come on for discussion to-day. In connection with the Qualification of Electors Bill, the Regulation of Elections Bill, and the Maori Representation Bill, I think this House has a right to know from Ministers what provision they intend to make with regard to the redis-

Mr. Speaker

tribution of seats. It is part and parcel of these measures, and I contend that we ought to be able to read the Bills now being discussed by the light which this Representation Bill would throw upon them. We ought, therefore, to have some explanation from the Government on the subject. I should be very sorry indeed to see supplies refused; but I really think that the Government ought to take the House into their confidence, and say plainly whether they mean to pass this Representation Bill this session or not. If they do intend to proceed with it, in what respect do they propose to alter the law? I cannot conceive for one moment that, if they intend to bring this Bill forward, they have not settled all its important points before now; and naturally the House is entitled to have some explanation from the Government as to its intentions with regard to the Representation Bill.

Mr. HALL.—Sir, if the honorable gentleman had been good enough to remember the Statement I made when I first came upon these benches, he would have known the manner in which the Government proposed to deal with this measure introduced by the honorable member for the Thames. My honorable friend has forgotten what I said. This is a subject of much importance. We said that the first thing to be done was to deal with the questions of the qualification of electors, registration, regulation of elections, and all machinery of that kind; and that subsequently would come the redistribution of seats. It will depend upon the progress made with Bills already introduced whether we are able to deal with that question during the present session. That is what we have told the House all along. We are as anxious as the honorable gentleman to see this Bill passed; but whether the business that must be got through can be done in time to enable us to deal with the redistribution of representation, is a question to which it is impossible for the Government or anybody else at present to give a distinct answer.

Mr. TURNBULL.—Sir, I am very sorry to hear this from the Hon. the Premier, because this was made one of the charges against the late Government—namely, that this was one of the measures which they shirked; and the Opposition were so anxious, at one time, to have this Bill brought on that they set Captain Morris and the then honorable member for Coleridge to work to bring it on, and so test the feeling of the late Government in the matter. I hold that all these other measures would be totally useless unless crowned by a redistribution of seats. If we are unfairly represented now, I cannot see why we should continue to be so any longer. I do not see why we are now going on increasing the power of electors and reducing the time of Parliaments, and passing other most important measures, without giving effect to a measure by which all parts of the colony will be properly represented. I feel so strongly on this matter that I am sure I am speaking the mind of other honorable members of this House when I say that they are determined this Bill shall be brought on and settled this session. I should be sorry to take any course, as an individual, in

opposing any supplies or estimates, but I feel so strongly upon this subject, that it should be dealt with this session, that, even should it come to such a state of things, we shall be driven to adopt a course of that nature. I trust the Government will consider this question. They must have considered it, and must have it all at their fingers' ends. If the Bill was already in existence at the time to which I have referred, then all I can say is, that it must take a very long time to mature if the Government are not now prepared to proceed with it. A very few clauses will suffice to make the Bill workable. I trust the Premier will see his way to have this Bill brought on.

Mr. MOSS.—I should like to point out one very important question connected with the redistribution of seats. I mean in its relation to the Qualification of Electors Bill. That Bill proposes to give a special representation to property, and to give as many votes to every person as he may own sections of the value of £25 in different districts. Now, Sir, at the present moment a provision of that kind is actually in force, and gives to the centres of population a large voice in the control of rural elections. It equalizes, in this way, to a certain extent the ill proportions that now exist in the representation. Well, Sir, if the Representation Bill is not to be based on population, many of us would hesitate before we abandoned that right of going into the country districts and getting town people represented there. Therefore, Sir, the consideration of the Representation Bill will, I think, be closely connected with the Qualification of Electors Bill. I hope that I have made clearly understood what I mean. I consider that the giving of so many votes to one person is at present, to a certain extent, equalizing the disproportions in the representation; but, unless the new Representation Bill be based on population, that equalization cannot take place if we throw out the property qualification and plurality of votes connected with it in the Qualification of Electors Act. Besides, I do not think Ministers need be under any difficulty in this question of redistribution, because there was a Bill introduced by an honorable gentleman who is now a member of the Government (Mr. Whitaker), called the Parliamentary Representation Bill, in which the views of that gentleman were clearly laid down, and will be found from sections 11 to 14. I would like the Government to look at that Bill, if they have not seen it before. They will see that population was to be the basis of representation. There was a unity of principle running through that Bill which I am afraid we shall not find in the Bills that have now been brought down piecemeal by the Government. I would respectfully add, with reference to your ruling, Sir—without for one moment offering a remark against its propriety—that the effect of it is to place members in a very awkward position. We are told that, on motions for going into Committee of Supply, honorable members have an opportunity of bringing forward grievances. Here we have a grievance affecting the public interests very nearly, and we find ourselves in a mesh of Standing

Orders, in a mesh of regulations, from which we cannot escape. The Hon. the Premier shows us a way out of it. He invites us to bring down a motion of want of confidence. We have had enough experience of that. If we brought down a motion of want of confidence, that motion might be put in any part of the Paper the Government pleased. I do not think we shall ever see in this Parliament again a vote of want of confidence openly and straightforwardly proposed. We have seen by experience that it would be a most useless thing to attempt, because, if we bring it on, it will be postponed as long as the Government like to postpone it. Such a motion, openly and straightforwardly proposed, will not be again seen until the memories of this session are entirely obliterated. I do not know whether I am in order in doing so, but I ask whether you, Sir, cannot point out some way by which a grievance can be redressed without infringing these rules and Standing Orders.

Mr. SPEAKER.—Any amendment can be brought on to the question that I do now leave the chair.

Mr. GEORGE.—Sir, I hope the Government will find some method of bringing on this Bill at once. It is one of the most serious measures as regards the North Island at the present time. The North Island is now in a large minority as regards representation. Whilst only thirty-seven members come from that part of the country, the South sends fifty-one members to this House. If this Representation Bill were brought forward and passed, I believe the North would then be more fairly represented than it is at the present time. The Hon. the Premier has referred the House to a Ministerial Statement which he made. I will read a portion of that Statement.

Mr. SPEAKER.—The honorable member cannot read any portion of a speech, made in this session, from a printed book.

Mr. GEORGE.—The Hon. the Premier, in his Statement, said that the electoral measures would be brought on at once—that they would not waste any time, but that these electoral measures would be brought on and proceeded with without any interruption.

Mr. HALL.—So they have been.

Mr. GEORGE.—This Representation Bill is the greatest measure of all; and until this measure is brought forward I say we cannot consider the other measures before the House. I think it is the duty of the House to insist that this Bill be read a second time before any further progress is made with the other Bills at present before it.

Mr. MURRAY.—Generally speaking, a great deal of latitude is allowed on motions for going into Committee of Supply. I trust that, instead of wasting days in useless discussions, the House will proceed with the practical measures before it, and allow supply to be granted now. I trust those honorable gentlemen will show their utmost desire to pass these Bills into law, and not waste time by factious opposition.

Mr. DE LAUTOUR.—Sir, the Premier has thrown upon the House the responsibility of this measure, inasmuch as he says it will depend on

the rate of progress of other Bills whether we have this Bill or not. Now, I, for one, being a member of the Opposition, would like to purge myself of that responsibility, and would like to have an opportunity of recording my vote for a resolution to the effect that we are prepared during the present session to consider such a Bill. You will observe that, if the Government put on Supply on the same days as the Representation Bill, the Bill can be put wherever the Government choose to put it. Should I be in order in moving, "That this House is determined to do all in its power to secure the passing of a Bill during the present session for a redistribution of seats"? That would not take the Bill out of its order at all. The Premier has told the House that, so far as the Government is concerned, the Government is anxious to pass this Bill, but that it will depend on what the House does. Now, Sir, I wish to affirm that, whatever else the House does, it is prepared during the present session to pass this Bill in its due course, without taking it out of its place. Can I move an amendment affirming that?

Mr. SPEAKER.—If the amendment refers to a Bill already on the Order Paper, then it will not be in order.

Mr. DE LAUTOUR.—It does not necessarily apply to the Bill on the Order Paper. I might give notice for leave to introduce Representation Bill No. 2 or No. 3. The same thing has occurred before, when we have had one or two Bills before us dealing with the franchise in a different way. The Bill now on the Order Paper, which has been discussed, deals with redistribution of seats in a certain specific way, providing by a mathematical formula how seats shall be redistributed, and by a non-political Board. Any honorable member might, to-morrow, wish to introduce a Bill dealing with redistribution on the basis of population, but eliminating the features of a non-political Board and a mathematical formula. I do not approach the Bill in my resolution. I merely affirm that this House is determined to do all in its power to secure the passing of a Bill during the present session to provide for a redistribution of seats.

Mr. SPEAKER.—If the honorable gentleman assures me that it does not refer to the Bill already on the Order Paper, I will submit it to the vote.

Mr. DE LAUTOUR.—It does not, Sir; for I do not care what Bill passes, so long as a measure is introduced to secure a redistribution of seats.

Mr. HALL.—I have no objection to the honorable gentleman's amendment.

Mr. GISBORNE.—That one observation seems to reveal the belief that the honorable gentleman thinks the Representation Bill of much less consequence than the Registration of Electors Bill and the Corrupt Practices Bill. I say that the country looks upon the Representation Bill as the Bill of most importance. All the rest are leather and prunella compared with this Bill. Is the country to go on witnessing the anomaly of a few hundred men having two or three representatives in this House, while tens of thousands in other districts have only the same number? I

say the whole thing is preposterous. We can easily postpone the Registration of Electors Bill and the Corrupt Practices Bill; but, as a House, we should insist that this session there shall be some Bill passed for a readjustment of seats, so as to secure an organic change in the system of representation, and give it just effect. And this is the Bill of which the honorable gentleman speaks so lightly. He says, "Pass the other Bills, and then we will bring on the Representation Bill." I say that is a course the House will not agree to. We do not want any half-hearted measures—we want a thorough Representation Bill.

Mr. BRANDON.—Does the honorable member desire another general election? I should think that most of us had had enough of electioneering for a time.

Mr. HUTCHISON.—I must confess that I am exceedingly disappointed at the utterances of the Government upon this subject. After the loud talk we have heard from them about carrying through all the electoral Bills, it is singular that they should shirk this, the most important of them all. If they will not introduce the Representation Bill, some of us will have to try if we cannot get justice done for our respective districts. I and my colleague could not face our constituents again without attempting to get something like fair representation for them. This Bill lies at the root of the whole representation of the country. I must say that from the first I saw that there was some probability of the Premier fighting shy of this subject. He said he did not quite see that population should be the basis of representation. He said he wanted something else. Whether he wanted sheep, or something in the nature of the cockatoo principle, I do not know, but population did not suit him. I do not say that population pure and simple should be the sole basis; but it is very near it. But what I wanted to say, and to seek to impress upon the House, is that manhood suffrage, without a readjustment of representation, will be a delusion and a snare. An adjustment of representation lies at the root of electoral reform, and the Government must be prepared at once to grapple with the subject.

Mr. J. C. BROWN.—The few words extorted from the Premier are the most refreshing we have listened to this session. It was gratifying to us to think that we were at last settling down to electoral reform, and that the grand link in the chain, the Representation Bill, would be passed without delay. We have arrived at the time when it should be passed, and I am glad to find that there is some prospect of the House insisting that it shall pass.

Sir G. GREY.—I am quite sure that I understood the Premier to promise that he would bring in a Representation Bill.

Mr. HALL.—I think I explained the matter very clearly.

Sir G. GREY.—I understood the honorable gentleman to say that he accepted the amendment. Clearly that is a promise to bring in a Bill this session. Undoubtedly that can be done, and we ought to understand that before we proceed to the vote. This is the most important Bill

of the electoral series; and I would like to know this: There are four gentlemen from the Province of Auckland who stated to us, in a most distinct manner, that the honorable gentlemen had agreed to vote with the Government on condition that all the electoral Bills were passed this session. I put it to those honorable gentlemen whether this is one of those Bills. The honorable member for Newton, I am sure, will say at once that it is. If the honorable gentleman will not reply, I must suppose that it is not one.

Mr. SWANSON.—In any alteration that is made in that direction, let it take whatever shape it may, I apprehend that Newton will not lose a member.

Sir G. GREY.—That is no reply. It is a reply that will be given by many members. They look at their constituencies instead of looking at the welfare of the country. I am positive that the country will not feel satisfied unless a Bill of this kind is passed this session. To the unfair representation which has existed are undoubtedly attributable the unfortunate changes that have happened to this country. What we ask is that the old-established law of the country should be adhered to—namely, that representation should be on the basis of population; and I say that, if this measure is not passed, none of the others will satisfy the people. The Triennial Parliaments Bill is very little good without this Bill. To say that the Parliament shall cease at the end of three years, and that the representation shall remain unaltered, is simply to say that a number of gentlemen who are here now shall be returned to this House, it does not matter whether for three, five, or ten years. This is the time to pass the Bill, and I call upon the four gentlemen who recently left us to stand by us in this struggle. It clearly was the intention of the Government not to bring in such a Bill this session, and I further contend that their proceedings as a whole in regard to this Bill have not been characterized by that fairness which should characterize the proceedings of the Government. The mere fact of the Premier standing up and saying that he would accept the amendment was, in point of fact, to pledge his word that he would bring in a Bill this session. I ask the honorable gentlemen to adhere to this resolution, and when we pass this measure I hope those who carry it will declare in their hearts that it shall have effect given to it during the present session. To provide for the Maori representation and neglect the European representation would be an unheard-of thing. If you provide for one you must provide for the other, and give back to the people that charter of their privileges which was given to them twenty years ago. We have gradually drifted from that charter year by year more widely and widely. Now that we have the chance, and are all Liberals, let us seize the present auspicious moment to restore to the people of New Zealand that which the Queen, the Lords, and the Commons of Great Britain deliberately gave to them twenty years ago. I hope the honorable gentleman at the head of the Government will pledge himself to bring in this Bill. If the Government persist in refusing to do so they will find

themselves in a very unpleasant position before the session closes. A resolution has been come to by many other gentlemen and myself that no means shall be left untried to secure the passing of the Bill, on which they are satisfied the people of New Zealand have set their hearts, and have decided that it shall be carried into law.

Mr. SHEPARD.—Sir, the honorable member for the Thames has appealed to the Premier to state distinctly and frankly his intentions upon this subject, and I think that appeal ought to be responded to by members of this House. It is inopportune now to discuss at length the propositions of the honorable member for the Thames in regard to a Redistribution of Seats Bill, or, as it has been called, the Representation Bill; but there are, no doubt, a number of honorable members who would vote for that Bill, and for what are called the principles contained in it. I do not recognize any principles in it. It contains only an arithmetical division of the country, and an endeavour to take away power from this House, and to place it in the hands of persons irresponsible to the House or to the country. I, for one, shall be no party to taking away from this House a power that all representative Assemblies have hitherto maintained. I will not assent to that; and I feel bound, in justice to the people of the country themselves, to resist any such measure. This is a subject of the greatest interest to the country districts. There are in this colony many districts the inhabitants of which cannot come together and confer as they can in districts more densely populated. The interests of the country districts do not rest upon the towns: it is the towns that rest upon the country. I should have been ashamed if this question had been allowed to pass without a protest from some honorable member, and I, for one, do protest against taking up such a method of readjusting the representation. If there be any districts which suffer from injustice in this respect, let that injustice be remedied; but let the old constitutional course be followed, by giving another member where one is necessary. The interests of the country at large are of far more importance than the mere bringing-in of a measure which will only serve to disturb the whole affairs of the country at a time when its credit is trembling in the balance. I trust, therefore, honorable members will agree with me in denouncing any such attempt to force the House to proceed with measures that are not pressing, while there are those which cannot possibly be delayed if we wish to see the country flourish.

Question put, "That the words proposed to be left out stand part of the question," and negatived.

Question put, "That the amendment be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	65
Noes	...	...	...	...	5
Majority for	...	...	...	...	60

Sir G. Grey

AYES.

Mr. Acton Adams,
Mr. Allwright,
Mr. Andrews,
Major Atkinson,
Mr. Bain,
Mr. Ballance,
Mr. Beetham,
Mr. Brown,
Mr. Bryce,
Captain Colbeck,
Mr. Dick,
Mr. Finn,
Mr. J. T. Fisher,
Mr. Fulton,
Mr. Gibbs,
Mr. Gisborne,
Sir G. Grey,
Mr. Hall,
Mr. Hamlin,
Major Harris,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Hutchison,
Mr. Ireland,
Mr. Johnston,
Mr. Levin,
Mr. Lundon,
Mr. Macandrew,
Mr. Masters,
Mr. McCaughan,
Mr. McDonald,
Mr. McLean,
Mr. Montgomery,

Mr. Moss,
Mr. Murray,
Mr. Oliver,
Mr. Pitt,
Mr. Reeves,
Mr. Reid,
Mr. Richardson,
Mr. Rolleston,
Captain Russell,
Mr. Seddon,
Mr. Shanks,
Mr. Sheehan,
Mr. Speight,
Mr. Stevens,
Mr. Studholme,
Mr. Sutton,
Mr. Swanson,
Mr. Tainui,
Mr. Tawhai,
Major Te Wheoro,
Mr. Thomson,
Mr. Tole,
Mr. Tomoana,
Colonel Trimble,
Mr. Turnbull,
Dr. Wallis,
Mr. Whitaker,
Mr. Whyte,
Mr. Reader Wood,
Mr. Wright.
Tellers.
Mr. De Lautour,
Mr. George.

NOES.

Mr. Kelly,
Mr. Ormond,
Mr. Shepard.

Tellers.
Mr. Brandon,
Mr. Hislop.

The amendment was consequently agreed to.

IMPREST SUPPLY BILL (No. 3).

This Bill was read a first, a second, and a third time.

MAORI REPRESENTATION BILL.

Mr. HALL.—Sir, I beg to move the second reading of this Bill. I quite agree with the honorable member for the Thames in his statement the other evening that the Qualification of Electors Bill ought not to pass until this House has settled the Maori Representation Bill—at any rate, that portion of the Qualification of Electors Bill which deals with the Maori franchise. The Maori members spoke the other night, I think, under a misapprehension upon this subject, owing to the Bill itself not having at that time been translated and placed in their hands. If that was the case, I hope we shall now hear that the proposals of the Government are more satisfactory to them than they appeared at that time to be. This question of Maori representation is an exceedingly difficult one to deal with: not because there is any disposition in any part of the colony not to do justice to the Maori race in this matter. That is not at all, so far as I believe, the wish of any portion of the European population. It is difficult to deal with, because we are proposing to confer upon

certain of our fellow-colonists who do not understand our language, and who have, therefore, very great difficulty in arriving at just conclusions on subjects affecting the European settlers—who must to a considerable extent be acting in the dark—equal privileges with Europeans; and it is our duty to provide for those privileges being exercised in a manner calculated to benefit the Maoris themselves and to do good for the State. The position of the case, I take it, at the present time is this: The Constitution Act gave to the Maoris the same nominal privileges as it gave to Europeans: but, as a matter of fact, they were not placed in the same position, because it has been decided by the Law Officers of the Crown in England that the tribal tenure of the Maori race is not such as entitles them, by virtue of land held under that tenure, to be placed on the electoral roll. Under those circumstances, in the year 1867, at the instance of the late Sir Donald McLean, in order to provide that the Maoris—who up to that time had practically had little or no share in the representation of the colony—should enjoy the privilege of representation, an Act was passed to make special provision for their case. The preamble sets out the reasons why it was so passed:—

“Whereas, owing to the peculiar nature of the tenure of Maori land and to other causes, the native aboriginal inhabitants of this Colony of New Zealand have heretofore, with few exceptions, been unable to become registered as electors or to vote at the election of members of the House of Representatives or of the Provincial Councils of the said colony, and it is expedient for the better protection of the interests of Her Majesty's subjects of the Native race that temporary provision should be made for the special representation of Her Majesty's Native subjects in the House of Representatives and the Provincial Councils of the said colony.”

The Bill then went on to provide, as I think very wisely, for the special circumstances of the Maori race; and I think it is admitted on all sides that that special representation has worked fairly and well. In the year 1878, the late Government, in their Electoral Bill, attempted to deal further with the subject, and proposed that, in addition to the special representation, all Maoris whose names were on the ratepayers' roll, and who were thereby liable as ratepayers, should have the privilege of a vote at elections for Europeans, but not otherwise. That, I think, was a fair proposal. It met with favour from this House; and I believe, if the general opinion of the House had been given effect to, that provision would have become law. But circumstances occurred which prevented that Bill being passed into law. It was proposed by the Government that not only should the Maoris, in addition to their special representation, have a vote in virtue of property when it was on the rate-roll, but that they should also have a vote for property when it was in such a position that it paid no taxes at all. That was a proposition against which Parliament and the country protested. So far as I have been able to gather public opinion since then, the country is not disposed to accept any

such proposition. We have now to deal with the subject, and many widely-varying suggestions have been made as to the most practical way of dealing with it. The first proposition was to revert to the proposal of 1878, of which I have already spoken—namely, to leave the Maoris with the present special representation, and to give them the privilege of voting at European elections when they placed their property in such a position that it would be subject, like that of Europeans, to taxation by way of rates. That is one proposal. A second proposal has been considered by the Government—it was suggested by the honorable member for Hokitika (Mr. Seddon)—namely, that there should be two rolls, one for the election of Maori members exclusively, and the other for the election of European members, and that the Maoris should have a choice whether they would be placed on one roll or the other, but that they should not be placed on both: that they should not have a title to vote for both European and Maori members. The third proposition is the one embodied in the Bill we now submit to the House. It provides that the Maoris shall have equal rights with the Europeans; that the roll shall be made by Government officers; and that all male adult Maoris who consent, in writing, shall be placed on the roll. That having been done, and their numbers having been ascertained, the Bill provides that—

“The number of Maori members to be elected for the whole colony shall bear to the entire number of the members of the House of Representatives (exclusive of the Maori members thereof) the same proportion as the number of registered Maori electors shall bear to the entire number of registered electors on the rolls of the several electoral districts of the colony constituted for the election of members of the European race.”

Mr. GISBORNE.—That is not equal rights.

Mr. HALL.—No doubt, the honorable gentleman means that, in addition to the adult male Europeans being placed on the rolls, those persons who have a certain amount of freehold property may be placed on the roll a second time.

Mr. GISBORNE.—I mean that the Maoris cannot elect a European, and the Europeans can elect a Maori.

Mr. HALL.—They would under our present Bill have equal representative rights. They would have as large a proportionate share in the representation in this House as the Europeans would have. We propose that Maoris shall not vote for Europeans, nor Europeans for Maoris, for this reason: It is very desirable that the Maoris should vote as far as possible with the understanding; where Natives do not understand our language, do not understand our politics, and are not able to judge of the character and opinions of candidates, they must to a large extent vote in the dark. The only light which they receive is the light given to them by a class of Europeans who live on the borders of Maoridom and Europeanism. I think it will be admitted that that class of Europeans is not the most desirable from whom the Maoris should

receive instruction: yet that, as a rule, is the class from whom they do and would receive information on political questions and upon elections. On the other hand, if we can give them a fair share of representation in this House, can enable them to give a more intelligent vote, enable them to converse freely with candidates for their suffrages and exchange opinions with them, we shall be giving them what will be more advantageous to themselves and to the country. These are the reasons why we have made the proposition which we submit in this Bill. No doubt objections may be raised to it; but we say, after full consideration, that we think this is the best way to deal with the question. We admit there is a great deal to be said on both sides. The House will no doubt expect some information as to how our plan is likely to work out in point of numbers. At the last census the Maori population was put down at about 9 per cent. of the total population of the colony. Now, if the Maori were to go on the roll and have members allotted to them in that proportion, of course their numbers in this House would be very largely increased; but, practically, it will not be so, because, in the first place, the proportion of their numbers on the roll will be diminished by the absence of any property qualification. We believe this is justifiable, because, as a rule, Maori property is not rateable. The proportion will be further diminished by the fact that a large number of Natives—King Natives especially—would not put themselves on the roll. According to the best estimate we have been able to form, which we do not pretend is anything more than a rough estimate, the number of Maori members in this House under our proposal would be six or seven. As years go on, that number would diminish, because the proportion of the European to the Native population would increase. In the year 1867, I find the Maoris were 14·98, or nearly 15 per cent. of the population of the colony. In the year 1878 they stood at 9 per cent. In the course of years, as the population varied, the proportion of Maoris would be varied also. The rest of the Bill provides, as I stated before, that the electoral roll shall be made up by an officer appointed by the Government, and that the Governor shall divide the colony into Maori electoral districts. Then the Bill goes on to re-enact, pretty nearly in their present shape, the provisions relating to the election of Maori members under the existing law. I think I have now given the House a fair outline of this Bill. As I said before, any person dealing with this question has a choice of difficulties before him. These we have considered with an honest endeavour to do what is fair and right to both races in this colony. The principle which we suggest appears to us liable to the smallest amount of objection; but, if the House agrees to the second reading of the Bill, we shall go into Committee perfectly prepared to hear any suggestions, and, if we find that a more acceptable proposal can be made, we shall be willing to fall in with that view. Up to the present time we have not seen any better plan than the one we suggest. I beg to move the second reading of this Bill.

Mr. Hall

Mr. MACANDREW.—I hope the House will pause before it commits itself to the second reading of this Bill. I think that the Bill is open to very grave objections, inasmuch as it proposes to perpetuate a principle of exceptional representation which the House for years has been declaiming against; and it not only proposes to perpetuate that, but to do so to a much greater extent. So far as I can make out section 5 of the Bill, I think it will be found that, instead of having four Maori members in this House, under that section we shall have at least double that number. I think the honorable member who has introduced the Bill is wrong in his supposition that the number of Maoris on the electoral roll will be diminished. I am of opinion that they will be increased under this Bill. That is my idea. I should have no objection to the present arrangement remaining in force during the present Parliament. I think that would meet the circumstances of the case. What I desire to see is, that both races should be subject to the same laws. I think they ought to be subject to the same burdens, and that they ought to enjoy the same political privileges. I quite admit what the honorable gentleman the Premier has said, that there is a practical difficulty in dealing with the question. No doubt there are great practical difficulties; but it seems to me that the point which we should aim at and work up to is this—namely, that both races should be put on a perfect equality in every respect. It seems to me this Bill neither aims at nor works up to that point. I am aware, as I said before, that there are many objections to placing Natives on the same political level as the Europeans at present, but I hold that these objections are diminishing—that they are growing less and less every day; and I hold, moreover, that, if there are dangers or disadvantages which would flow from granting the Maoris equal electoral rights with ourselves, the proposal in this Bill would be infinitely more detrimental to the good government of the colony than anything that could arise from granting them the same political privileges as our own. As far as I can comprehend matters, I believe the ills under which we now labour would be far less than those which would present themselves by perpetuating and extending exceptional representation. I say it would be far better for the colony for things to remain as they are. Let us aim at placing the Maoris on an equality, rather than introduce any exceptional system such as is now proposed. I do not wish to move that this Bill be read a second time this day six months. I would rather the Bill were taken back, reconsidered, and reconstructed, in accordance with the views which I have endeavoured to express. I do not see my way to voting for the Bill, and I do not wish to move a formal amendment to the second reading. I would rather hope the Government could see its way to withdrawing the Bill and putting it on another basis altogether. I desire to be understood as not expressing any antagonism whatever to the Maori race in what I have said. I believe the Maori Representation Act, so far as it has gone, has worked very well, and I believe the Maori members have set us an example in

this House. It is not on any ground of that kind that I do not wish to see the number of Maori members increased; but the principle is bad in itself, and open to very grave abuses and objections. I shall not move any amendment to the Bill, in the hope that the Government may see their way to withdraw it and bring it down in another shape.

Mr. SHEEHAN.—Sir, the Hon. the Premier was right in stating that this question was one of very considerable difficulty. The difficulty is, that you hardly know how far to go in order to suit both parties—on the one hand to satisfy the Maori people, and on the other to allay the alarms of the Europeans. I think I shall show that the honorable gentleman has not succeeded in accomplishing that; that he has not arrived at that solution of the difficulty which will meet the views of either race in this colony. In the year 1867 we first of all gave the Maori people special representation. Before that time they had the same right to vote for members of this House as Europeans. It was not a nominal right, but a clearly existing right, equal to ours, so long as the lands in respect of which the right to vote was claimed were held under Crown grant. The process of getting land Crown-granted is growing with rapidity, and I believe that nearly the half of the North Island is held under Crown grant or certificates of title. I know, as a fact, that the desire to have their names placed on the electoral roll has in many cases induced the Maoris to put their lands through the Court. The House, in successive years, confirmed that special representation on, I think, three separate occasions; but I wish to point out that it is not correct to say that it has always been the wish to increase that representation. Whilst we now find Ministers prepared to give increased representation, for many years past some honorable members of this House fought against giving them even one member more, when the Maoris were more numerous and had a greater claim for increased representation. I see honorable members on that side of the House now who, when they had the chance of giving them increased representation, refused to give it. During the recess between 1878 and 1879, and also during the dissolution and the new elections, it was stated over and over again, on the hustings and in the newspapers, that the late Government had determined to establish the Maori dual vote. We were charged with being the authors of it; and, from the fact that many persons in this colony are persons who have been here only a few years, and that most of the people in the South take very little interest in Maori matters, it began to be believed that we were the authors of the Maori dual vote, and I am certain that the majority of the European population of the colony at this moment believe that it was the Grey Government which gave the Maoris the dual vote. The fact is, Sir, that they had it in 1867, and we proposed to restrict the dual vote. They had a right to vote as freeholders, leaseholders, and householders, and we limited them by giving to each individual a right to vote in respect of a sufficient freehold in his own right, and also gave them the

right to vote as ratepayers on the production of a receipt for rates. That shows that we were moving in a moderate direction. We had an aim in view, which was gradually to so taper off the two systems as to abolish special representation, and finally to leave the Maoris on the same footing as the European population. I do not intend to criticise the details of this Bill. I intend to point out two or three matters which, to my mind, are fatal objections to it—objections which, I believe, will cause every one of the Maori members to vote against the Bill. We are told the proposal is to give increased representation on the basis of population. The Maori members are told this: "We are going to give you representation according to population, the same as Europeans." But that is only to satisfy and please them. We know that a large number of Maori people cannot come into this system. "Therefore," the Government say to the European members, "while pretending to give them that, you know we do not intend to give them that at all." What is the proof of it? This measure, if it becomes law, does not permit that Ministers shall leave out the King country or Parihaka. They must include the whole of the two Islands, and take the census of every part of the country, before the Bill can become law. If that is the law, that you must have a total and complete census of the whole of the colony, does the honorable gentleman mean to tell me that the law would be carried out if he leaves out the King country and Parihaka? If the honorable gentleman said that certain areas might be excluded if the Governor was so advised, then I could understand it; but the law requires a complete census of the two Islands, and that the whole Maori population should be the basis on which to determine the number of members. Let me call his attention to the 9th clause:—

"He shall then ascertain the number of Maori members to be returned for the whole colony, in accordance with the proportion hereinbefore prescribed, and, with the assistance of such persons as the Governor shall appoint for that purpose, shall apportion the colony into as many districts as there are Maori members to be returned."

I presume that includes the King country and Parihaka?

Mr. HALL.—The honorable gentleman has skipped through the Schedule.

Mr. SHEEHAN.—I am coming to that presently. But I have pointed out what I consider to be a fatal defect in the Bill. Very well; I will take it on that. Which of my honorable friends is prepared to go into the King country and ascertain whether the King Natives will have their names on the list? Let them go to that part of the West Coast which is now under the control of Te Whiti. I do not say they would not come back: they might come back, but they would not be allowed to ask a question. That clause provides that every male Maori over the age of twenty-one years has the right to be asked individually and personally if he desires to have his name placed on the roll, and, unless the officer appointed can certify that he has asked every male Maori in his

district if he agrees to be placed on the roll, he cannot say to the Government that he has made a complete census. Now I will come to clause 7. I submit that the proposal that the Maori shall not have a vote unless he asks to have his name placed on the roll is unwise and unfair. I would simply require the Returning Officer to take down the name of every Maori over twenty-one years of age, and leave them to come to the poll if they think fit. The Maoris do not understand the Bill, and it will practically remain a dead-letter. Instead of the rolls showing a population which would return seven or eight members to this House, they will not have four members. As the Bill now stands, I confidently contend that, if you wait till the whole census is taken, you will not be able to take one single election. It is impossible to take the whole census, and the Bill must remain a dead-letter. I also contend that under this clause, by which the names are to be taken down, you will so largely reduce the number of Maoris to vote for members of this House that I question very much whether the present number will be maintained. I do not intend to go into the details of the Bill—there are many objectionable details which can be dealt with if the Bill goes into Committee. I shall do my best to make it a workable Bill; but, as it now stands, it simply realizes an old proverb—the Maoris ask you for bread, and you give them a stone. They have at present four members, and the right to vote for European members; and I contend that, as they stand now with the four members and the right to vote with Europeans, they are better off than they would be with the increased number of members which this Bill proposes to give them. One essential of any measure affecting the Maori people is, that it should be as plain as possible. It ought to be so plain that they can read it and understand it themselves. Now, this is a most elaborate Bill, and it will be an expensive one into the bargain, because the census must be taken. Having said so much, I must say that no member should devote himself to fault-finding only. The Government have a right to get the opinions of honorable members as to what shape the Bill ought to take. I hold that for years to come this question must be a question of compromise. You can lay down no hard-and-fast rule. My honorable friend the leader of the Opposition talks about placing the Maori and the European on an equal footing. I must dissent from that view. Such a thing is impossible at the present time. If you will pass an Act to teach the Maoris the English language so that they shall thoroughly understand our customs, forms, and procedure, then you may speak about placing them on the same footing; but here you have a semi-civilized people, and in every measure affecting them you must go upon the law of compromise. I look upon the statement that we should make one law for both races as a piece of buncombe, which may have some weight on the hustings, but ought not to have any weight in this House. The best possible settlement of this question, rather than go on with this Bill, would be to leave matters

Mr. Sheehan

just as they are now. What will be the effect of this Bill? As I have shown, it cannot become law until you have taken the census, which you cannot take for some time. If you take the census, it will reduce the number below the present standard, and it will go forward to the Maori people that you are passing an Act which will place them on a lower standing than the European population. If you deprive them of the right of voting for Europeans you place a barrier between the two races. And you say that a half-caste who does not live as a member of a tribe shall not become a member of this House. I should look to the half-caste as the most likely to represent the interests of the Maori with advantage to both races, and we ought to endeavour to raise the people by a process of this kind: We ought to say, "You have endeavoured to study the habits and laws of the Europeans, and to make a European of yourself, and we will give you a chance to represent your own people." I think they would be the best class of men for the position. But, beyond that, my honorable friend says that one reason why they should not have a right to vote in the election of Europeans to this House is, that their lands do not contribute to the revenue of the country. It is quite true that they do not contribute directly; but they do indirectly. You buy immense areas of country from them at a small price, and after it becomes the property of the Crown you sell it at a very considerable advance. Is that not a source of revenue to the country? Let me point out the case of the South Island. The whole of the land there was sold at a price per acre which is not represented by any coin in the realm. It was something less than half a farthing. Some of that land is now worth from £15 to £20 an acre. I do not say it would have attained that value if the Europeans had not come to the colony; but, when we talk of taxation, I say that we did a very good thing when we got the land at that price. In the present position of affairs we ought to be careful not to deprive the Natives of the position they occupy. The privilege they at present exercise may not be worth much, but at the same time they enjoy it and use it, and if we take it away I am certain the effects will be very bad. The time will come, must come, when the special representation in this House will cease; and even before the time does come in our opinion, they will admit the fact, and ask us to do away with it. But I hope the right of the Natives to vote under the European franchise will not be interfered with. I do not pretend that we should continue the present franchise—the household and the leasehold; but we ought to continue the freehold qualification where a man holds a property worth £25, and, if there be a rating qualification, they ought to have that also. Now, what does all this talk about the dual vote amount to? We are giving the European population manhood suffrage, and if an elector has property in a district other than the one in which he resides he has a dual vote; if he has a piece of property in another district, he has a trouble vote; and so the votes increase with the number of properties. In that case you give to the

European that which you deny to the Maori. Why not give them what you yourselves have got? Cut the right down to the freehold or ratepaying qualification. But I recommend the Government not to take away the privilege the Maoris now possess. The House and the country may think it is right; but you have to think of the people with whom you are dealing. They are jealous and suspicious; they look upon themselves as a race that is disappearing, and that in time you will crush them out altogether. With these things looking you in the face, I would earnestly recommend you not to attempt that. You will lead them to believe that you are becoming so strong that you are endeavouring to crush them out. I intend to move that the Bill be withdrawn, so that it can be re-drafted and made intelligible to the Maori people, and more capable of being carried out.

Mr. KELLY.—Sir, I think the representation of the Maori people ought not to be treated as a party question; and the tone of the debate on both sides of the House leads me to believe that it will not be treated as a party question. Our object should be to decide what is the best policy to adopt with regard to giving representation to the Maoris. All will admit that what we ought to aim at, if we cannot secure it, is to so educate the Maoris in political science that we shall in time assimilate their ideas to those of Europeans. Then we have to consider what is the best mode of effecting this. What course should we adopt in legislation to secure the political education of the Maoris, so as to be able, in course of time, to do away entirely with this special mode of representation? I hardly think the Bill before the House is the best mode for giving effect to that object, because it proposes, as I understand, to take away some privileges that the Maoris possess in one direction, and, on the other hand, to increase the special privileges we have conferred upon them. Therefore I think this Bill is a step in the wrong direction. But I am inclined to think, from what the Premier said, that the Government are willing, in Committee, to make certain amendments which will very much modify the Bill, and will tend to make it in some respects more of an educational measure. It is not easy to ascertain what the effect of this Bill will be. The Premier said it would add two members to the present Maori representatives. Then the honorable member for Port Chalmers said it might give eight special representatives; and the honorable member for the Thames (Mr. Sheehan) said it would take away some of the special representatives the Maoris already possess. With such a discrepancy of opinion as to the operation of this Bill, I think the better course would be to adjourn the debate, in order that the Government and the House may have time to fully reconsider the matter, and that both sides of the House may look the question fairly in the face, so as to decide whether or not we shall put a stop to this special mode of dealing with the question. My own view of the case would be this: Not to take away the present exceptional representation, but to leave it as at present; and to allow Maoris to vote as freeholders in possession, or on

condition of payment of rates in addition to the freehold. I am inclined to think that the single freehold held individually by the Natives would be the best, but I have not made up my mind on that point. I am entirely opposed to giving a vote to Maoris where more than one person is entitled to the Crown grant. If you allow them to vote individually, on account of holding a title from the Crown, I do not think it will very much affect the relations between the races. I move the adjournment of the debate.

Mr. GEORGE.—I shall vote against the adjournment of the debate, and also against the second reading of this Bill. To my mind this Bill is about the worst-considered and most ill-advised measure which this Parliament has ever had the misfortune to have had laid before it. I am very much surprised at the audacity of the gentlemen occupying those benches in bringing this measure before the House, for we know by their speeches that they themselves do not agree with what it proposes. I presume that when a question like this comes before the Cabinet the Native Minister is the one who should have the most to say upon it. What did the Native Minister say in 1878 in regard to the Electoral Bill then before the House? Mr. Bryce is reported in *Hansard* to have said,—

“I do not believe that the system of giving the Maoris special representation is correct in principle; but I apprehend that before long that will pass away, and that they will be represented here in very much the same way as are the Europeans.”

Then the Treasurer is reported to have said,—

“I, for one, shall be glad to vote for an increase in the number of Maori representatives.”

That clearly shows that they are not of one mind. Then, with regard to the Bill itself: The 2nd clause says the term “Maori” includes “any male half-caste living as a member of a Native tribe according to their customs and usages.” Who is to decide whether that half-caste is living as a Maori or as a European? If he lives in a Maori district, outside a European electoral district, cultivating land and carrying on operations in the same manner as a European, he will have no vote, because he is not residing in any electoral district which returns a European member to this House, and is residing amongst the Maoris and living as a Native, and therefore cannot come under this Act. Then we come to the 5th—the principal—clause, which says,—

“The number of Maori members to be elected for the whole colony shall bear to the entire number of the members of the House of Representatives (exclusive of the Maori members thereof) the same proportion as the number of registered Maori electors shall bear to the entire number of registered electors on the rolls of the several electoral districts of the colony constituted for the election of members of the European race.”

That clause will have the effect of giving no less than nine members to this House elected by Maoris alone. In the census of 1878 the European population is set down at 410,000, and the adult males at 116,000, being a little more than one adult male to every four of the total popula-

tion. According to the last census the Natives numbered 45,000 odd. It is only fair to assume that the proportion of adult males is the same as among the Europeans, which would give between 12,000 and 13,000 adult males. Under the new Electoral Bill which the Government have brought forward, nearly the whole of the 116,000 adult males would be on the electoral rolls of the colony, and I have little doubt that, if this Bill is carried, the Natives themselves will take care that every adult male is also placed on their roll. At the present time we have eighty-four European members in the House, who each, on an average, represent 1,380 adult males. Allowing the same proportion to the Maoris, 13,000 adult male Maoris would return nine members. Those honorable gentlemen last year, both in the House and out of the House, accused the late Ministry of simply trying to pass the Maori dual vote, as they were pleased to call it, for the purpose of swamping two or three electorates, especially the Bay of Islands electorate, and one or two on the West Coast. After their statements to that effect, they now bring forward a measure of this kind, that would swamp not one or two electorates, but the whole of the electorates of the colony; for I have little doubt that, if eight or nine Natives were in this House, they would vote as one man. It would be to their interest so to do, and I have no doubt but that they would do so. But it is very difficult to understand whether that is the intention of the Government under this measure, or whether they intend that under this Bill Natives shall not get on the roll. Clause 7 says, in reference to making up the rolls, that the Returning Officer is to judge of the age of the Natives; and it goes further and says that, before any Native's name is placed on the roll, he shall consent to his name being placed there in writing. Therefore, if a Maori cannot write he cannot be placed on the roll. It seems to me that this is a measure brought forward to gain favour with my Maori friends here, and yet such a clause as this is put in to prevent Natives getting on the roll. Although with regard to the European elections those gentlemen think it proper and right to do away with public nominations and speeches at the hustings, yet in the case of the Natives they say you shall have a hustings—you shall have your nominations in public. Here is a curious feature of the clause:—

"On the day of nomination, so to be fixed as aforesaid, the Returning Officer shall preside at a meeting to be held at noon at the appointed place, and shall declare the purpose for which the meeting is held. It shall be competent to the Returning Officer to declare the meeting adjourned from day to day till the election is completed."

Now, we know that the Maoris are generally given to making long speeches, and so the nomination proceedings may last for three or four months. Further on it is stated that the writ shall be returnable in not less than fourteen days after the nomination. If the nomination takes place on a certain day, and the poll is fixed to take place on a certain day later, and if these

Mr. George

hustings speeches take place, and the meeting is adjourned from day to day, the nomination proceedings may extend beyond the time fixed for the election. When these nominations take place very hot blood will arise, and I shall not be surprised if tribal fights occur on those occasions. Then the 10th subsection of the same clause says,—

"If a poll be demanded, the Returning Officer shall immediately make arrangements for the issue at each polling-place of voting-papers to electors, and such papers may be issued at any time or times appointed by the Returning Officer until the close of the poll."

That means that directly the nomination takes place the Natives go to the Returning Officer and get the voting-papers. Then fifty or sixty of them go together and agree among themselves for whom they shall vote. They fill up the voting-papers accordingly, and then proceed to vote at the election for the candidate they have agreed to support. Then there is provision made, in case the Maoris are unable to write their names on the voting-paper, for the Returning Officer or his deputy doing so. Then there is another provision in this Bill similar to a clause in the Regulation of Elections Bill, which was referred to by the honorable member for Dunstan. The 16th clause says,—

"If after the day of nomination and before the day appointed for the poll a candidate dies, the Returning Officer shall, upon being satisfied of the fact of such death, countermand notice of the poll, and all proceedings with reference to the election shall be commenced afresh in all respects as if the writ had been received by him on the day on which proof was given him of such death."

So that, if any Native who had been nominated should die, the whole proceedings would have to commence again. I do not know why the Government should have thought fit to put that in the Bill. The Hon. the Premier, in speaking to-day, said there were only three methods of dealing with this Maori representation.

Mr. HALL.—No.

Mr. GEORGE.—Only three ways that he knew of.

Mr. HALL.—No.

Mr. GEORGE.—I accept the honorable gentleman's denial: but he only mentioned three. The first he mentioned was what is proposed in the Act of 1878 in the ratepayers clause; the second was some method proposed by the honorable member for Hokitika (Mr. Seddon); and the third was what the honorable gentleman himself has proposed in this measure. Now, I will tell him of a fourth, and I think it will be a very good way of dealing with the matter. It is difficult to speak of the electoral measures when separated from each other: we do not know whether we are going to get a Representation Bill or not; but, if that Bill is introduced, let the Government divide the whole colony into equal electoral districts—then we shall not want the Bill now before us. Let the Natives go on the rolls under the same qualification as the Europeans—that is, under a residential qualification. Let them all

have the same right to vote, and one vote only. Then the Natives will get on the European roll and have the right to vote for the return of members to this House for the electoral district in which they reside. There will then only be two or three electoral districts inhabited solely by Maoris—I can hardly say solely inhabited by Maoris, for in every one of those districts there will be probably some few Europeans living, probably men most highly respected by the Natives among whom they reside. If this plan I have proposed is adopted, I have little doubt that in only one or two instances would Natives be returned, and Europeans would be returned by the Natives to represent them in this House. Some honorable members may say that in other electoral districts, such as the Bay of Islands, the East Coast, and some of the West Coast districts, if this proposal were carried into law the Natives would swamp the European electorates. I say no such thing would take place. We have a very good example before us of what occurred in the Bay of Islands and Mongonui Electoral District. You have heard a great deal about the electoral roll of that district. In the district at the present time there are 1,076 electors. There are some 50 men absent. Out of this number, 543 are Natives—more than one-half. Therefore, if the Native vote would swamp the European vote in an electorate, it could have been done in this district. What happened there? Three Europeans and one Native stood for election. Five hundred and two electors voted for the three European candidates, and the Native only polled 118. Therefore, if the system I have explained to the House were carried out, there would, I think, be no fear of any European electorate being swamped by Maori votes, but in nearly every case Europeans would be returned to this House to represent the Maori electors. I also think a system which would abolish the present method of numbering the ballot-papers might be introduced into this Bill, or into any other Electoral Bill, by which electors might be able to take out electoral rights at a small cost—say, at the cost of 1s. On the elector going to vote he would have to produce his electoral right. The Returning Officer, on his presenting it, would probably ask him, “Are you the man whose name appears on this electoral right?” On the Returning Officer receiving a reply in the affirmative—a heavy penalty should be imposed for any false statement—the Returning Officer would sign or stamp the voting-paper, at the same time stamping with a date-stamp the electoral right—that is, on the day of voting. That would prevent the person voting at any other election held at the same time, or voting twice in the same election. These are the principal points I wished to refer to in this Bill. The honorable member for Port Chalmers gave good advice when he advised the Government to withdraw this Bill; yet the honorable member for the Thames (Mr. Sheehan), I think, did better in moving his amendment, and I shall vote for the honorable member’s amendment.

Major TE WHEORO.—I shall say something now with regard to the Maori Representation

Bill. I approve of the principles of the Bill; but there are weak points in it. There is one clause—No. 4—which states, “Every Maori duly registered as an elector, but no other person, is qualified to be a Maori member of the House of Representatives for any division of the colony under this Act.” Clause 5 implies that only Maoris whose names are on the electoral roll can vote for members. It is a very difficult thing to get names registered on any roll. It would be a very difficult thing indeed to try and carry that provision out among the Natives of the West Coast. The larger portion of the Native population of New Zealand reside between Wanganui and Kawhia: I believe there are about 20,000 in that district. If we were to appoint any officer to go into that district for the purpose of registering the Native inhabitants as electors, I can say that he would not get one name put on the roll: no matter who went there, whether a Maori or a European, the Natives would not give their names to be placed on the electoral roll. I know this perfectly well, speaking as a representative of that part of the country. That is why I think it would be a very hard thing to try and carry out that provision. On those conditions you could not get a member to represent that electoral district. I also think there are other districts, besides the one I have mentioned, where old people would not give their consent in writing to have their names placed on the electoral roll. The Maori people are naturally a suspicious race, and anything new of this kind, such as requiring them to give their name in writing before having it placed on the roll, they would view with misgivings. Following out the principle laid down in this Bill, I believe there will be only one member returned to this House to represent the whole of the Maori people, because they will not consent to have their names registered. This Bill, if passed, will be the means of depriving several districts of their representation, because I do not believe you could get altogether placed on the roll a thousand electors. Say that even five thousand are got, that would be the most. Several things have been done in this House for the benefit of the Maoris that have not been appreciated by them. I like the idea of the Bill—the object of the Bill—but I will ask the Government to give the Maoris such representation as is in proportion with the Maori population: I think there are 45,000 Maoris. I will ask for the Bill to be postponed, so that an alteration of this kind may be made: that the number of Maori members be in proportion to the whole population. As far as the census shows, the Maori population is 45,000; and, if any member in this House were to declare that he could go up on the West Coast and succeed in registering all the Maoris in that part, or any of them, I tell him he would not. I should like the Government to postpone this Bill, and make the alterations that I have suggested. With regard to that part of the Bill treating of half-castes, it is not at all clear to me that making two divisions among them is a wise thing. Whether half-castes are living in European districts or not, they are still called by the law Maoris. What

about his land that he has claimed through his Maori side? That is another feature in this Bill which seems rather hard. I do not think that such a division should be made amongst half-castes. Let them remain as they are, whether they are among Europeans or among Maoris—let them have the electoral rights of Maoris. Another thing that has been talked about in this Bill is the Maori dual vote. I consider the members in this House should let the Maoris possess that vote, because they use it in returning European members. I believe there are some members in this House now who will feel rather grieved at this vote being taken away from their supporters. That dual vote was not applied by the Maoris to send in a member of their own, but to elect European members, and assisted in returning them here. So why do you not allow the Maoris to keep that vote? Now, with regard to withdrawing this Bill, I shall say, Do not withdraw it, but make the alterations that I have suggested with regard to the clauses Nos. 4 and 5. If it is kept away for two weeks and brought in again after alterations are made, that will be perfectly satisfactory. The European members should not be apprehensive as to how we are going to behave, because we are a well-disposed people. Do not let some of you say, "Oh, they have a sufficient number of representatives; they have four: let them be satisfied; do not give them increased representation." I am perfectly right in what I say—that we are a well-disposed people. In the troubles that have occurred in this Island we have gone to your side and joined with you in fighting against our own people. Then why do you attach such bad names to your friends, who have shown love towards you in the time of trouble? Whenever anything is brought out about the Maoris, you people get up and always have something to say against them. Why do you not show the same love to them as they did to you? Remember the time you have been in their country. It was asked of the Maoris in the early days that the Government should be allowed to be set up in this Island—that you should stay here. The Maori was not selfish. He agreed. There were only a few of you in those days, and the Native chiefs of this Island protected you. Now that you are in the majority you turn round upon us, and do not treat us in the same favourable manner. That is not in accordance with what has been said of the English people—that they are always well disposed to the Maori people, kind and loving. All the teachings that have been conferred upon the Maori have been with the object of leading up to the idea that the Maoris should walk in the same path as the English people. The Maori at the present time is following in your track, but there are several harsh measures put upon him. Now, I say to the House, Show that kindness to the Maori that they did to you in the early days of the colony. Now, you see there are eighty-four European members, and only four of us here; and why do you fear an increase of representation for the Maoris? If it is the desire on your part that we should both go on fair grounds, why, the three or four additional members that are

meant by this measure are not such a great many after all. The four Maori members in this House at present have done no wrong since they have been in it, and there is nothing that appears in the Bill stating that any other Maori members should not act in the same way. If the Government asked me to carry out some of the suggestions I have made with respect to this Bill, and to pick out some of the clauses that are in it, I should be very much pleased. But let this Bill be put back to the last, and bring forward the European Representation Bill.

Mr. TAWHAI.—I also have something to say about this Bill. I like the form of this Bill, because it refers to the Maori vote; but I feel grieved because some new features have been introduced into it with the intention of dealing otherwise than was expected. I object to clauses 5, 6, 7, 8, and 9. I have tried to discover why this Bill should put our Maori vote in a new form. I have not yet learned that we have abused the vote which we use in returning our members. If our vote was the same as the European vote which has been fought over in this House, and in consequence of which Commissioners had been appointed to investigate the matter, as in the case of the electoral roll at the Bay of Islands, then it would be right to make such provisions as you have here. If you attempt to pass a Maori Representation Bill on the principles of registration, I do not think you will find any of the Maoris voting. You cannot understand the peculiarities of the Maori. I have had a great deal of communication with the Maoris generally of my district on important matters: and there are many matters that would be advantageous to them that they are very slow in grasping. I say, further, that I have been an officer of the Queen for the last twenty years, and have been carrying out my duties not amongst disloyal Natives, but peaceful Natives; and they have always evinced a great objection to attach their names to anything in the shape of writing. This Bill will lead to very great difficulty. If you are to give an increased number of Maori members on the grounds contained in this Bill, you will not give an increased number at all. If it is the wish of the House to give us increased representation, why not do so in a way which would not require any alteration in our present form of vote? Do not give us promises of increased representation on these new grounds. If you wish to do so, all that is required is to give us so many more members next year. I do not think this Bill will have the effect of associating us with yourselves, and bringing about that spirit of friendliness which you say you wish to see exist. You are people possessing superior knowledge to ourselves. You teach the small child differently from what you do a grown-up person, and as he grows up into manhood the teaching differs with his growth. The same with us, the Maoris. This is our first lesson. We have not yet emerged out of a state of childhood. We have our representation now under a simple form of vote. Let us exercise this vote till we are thoroughly acquainted with it, before you give us another. There are two distinct races in this Island—there is the loyal side, and

there are those who are Hauhaus; but during the election of a member for the Western Maori Electoral District some of the Hauhaus actually went and voted. I think we should feel glad that people who have been isolated in the manner they have been should come forward and make use of their vote. If this Bill, with these provisions, is allowed to become law, the Hauhaus I have alluded to will rush back again into their obscurity. My idea is, that the Bill should be suspended at present, so that the Maoris may have the opportunity of introducing into it features which they think necessary. After all, I think the speediest way would be to give us increased representation on the existing franchise we now possess. That is all I have to say.

Mr. BRYCE.—The honorable member for Rodney began his speech by quoting a passage from *Hansard* of 1878 in order to prove my inconsistency. I have no objection to repeat now what I said then. I think the special representation which the Maoris have in this House is thoroughly unsound in principle, and I hope to see it disappear. When it does disappear, and when the Maoris vote on the same roll as ourselves, and in precisely the same way, we shall then have arrived at a sound principle, and not before. There is not much inconsistency in what I say now and what I said then. The inconsistency of which the honorable gentleman reminds me exists in the Bill itself. I will point out to the honorable gentleman that it is a very difficult thing to carry out a measure of this kind upon sound principles under present circumstances, and nothing can show that difference clearer than the speeches which the Native members have made to-night; for what has their particular objection been? It has been to the very existence of the registration roll. That has been the objection on which they have laid most stress. That is their radical objection to this Bill. Now, I do not suppose there is any part of the world in which representative institutions exist where elections are conducted without proper registration rolls; and that itself, if nothing else, would show the great difficulty we have in approaching this subject and attempting to deal with it on defined principles. We must do the best we can under the circumstances. I am glad to observe, from speeches which the Native members have made to-night, that the idea seems to be abandoned that we have had in our minds a deliberate intention to do the Maoris an injustice by this Bill. That seems to have been abandoned by them and by most other honorable members. It has been argued, indeed, by some that injustice will be done by the Bill; but I think it will not be difficult to show that at any rate there is an honest endeavour to do justice. I am far from saying that I am enamoured of this Bill myself. I do not know that any principle could be laid down upon the subject to which there would not be great objection. I am quite prepared to admit that there is a very serious objection to this Bill, because it does not afford an opportunity for allowing the Maoris, as it were, to merge into our system. I know that is the weak point of the Bill; but no doubt great inconvenience has

been pointed out from time to time in the exercise of the dual vote, and it was with a view of obviating that difficulty that we introduced the proposal embodied in this Bill. As to justice or injustice, the matter simply stands in this way: that we propose to give the Maoris precisely the same representation in this House that we have ourselves. Now, the honorable member for Rodney has pointed out that in all probability it would give greater representation, because—and I have no doubt he is a high authority on the subject—the Maoris themselves would take care that the whole of the male adults were placed on the roll. It is somewhat unfortunate for his argument that the late Native Minister, who is supposed to know something about Maori matters, is of a different opinion. The honorable member for Rodney said that not only did the three plans exist which were stated by the Premier, but that there was a fourth, which recommended itself more strongly to him than any of the other three. He pointed out that if his plan were adopted it would have the effect of keeping Maoris out of this House, and of returning Europeans as representatives of the Native race. That is not the desire of the Government. They admit the value of the Native members in this House, and wish to see them continue here, and it is no recommendation for any plan to say it will keep Maoris out of this House and put Europeans into their places. The Government have brought in their present proposals with great diffidence. They have had considerable doubt on the subject, and they only arrived at the resolution to recommend this plan after having various plans under consideration. I do think, if it could possibly be arranged, that it would be well to provide some means by which this system of special representation should taper off into the other system which is applied to Europeans. The honorable member for the Thames stated that it was the desire of the Government, in 1878, to allow all the special representation to taper off and merge into the other system. I must admit that I cannot see any indications of that in their Bill, because, if the tapering-off process had been commenced, I presume the special representation would be reduced; but that was not proposed in any way.

Mr. SHEEHAN.—The Bill was not brought forward in 1878.

Mr. BRYCE.—I thought the honorable gentleman referred to the Electoral Bill. However, I say that, if any means can be provided without inconvenience by which the special representation system might taper off into the other, it would be very desirable to adopt that. I am certain that every member of the Government would be ready to listen to any proposition of that sort, and to view it with favour. With reference to what has been suggested by the honorable member for the Western Maori District, I would point out that, although it does provide means for merging into one system, it does so in rather an unjust manner to the Europeans. He claimed distinctly the full proportion of Maori representatives in this House; and then he proceeded to claim the right to vote under our roll, because white men were elected,

and not Maoris. It is scarcely necessary to point out that in that case it would be Maoris who would be over-represented. First of all, they would be represented by the full proportion of Maori members; and then they would be represented to some extent by the Europeans who are elected by them. I think that is claiming not only justice, but something more than justice; and, while I should be willing to do everything that could be claimed in the name of justice for the Maoris, I do not think it is quite right to ask for more representation for the Maoris than is enjoyed by Europeans. To show the desire of this House to do justice to the Natives in this as in other matters, I would point out that their claims under the Treaty of Waitangi have never been denied by this House. Their claims existed until 1867, and I say deliberately—notwithstanding the denial of the honorable member for the Thames—that those rights were only exercised in a nominal degree before 1867. It is only necessary, in order to prove that, to look at the total number of Maori voters, which was quite insignificant. In consequence of their knowledge of that fact it was that the House decided to give special representation. If, therefore, they stood on the rights of the Treaty of Waitangi, and the House were willing to concede those rights and nothing more, they would at the present moment be in a weak condition so far as representation in this House is concerned. The House was then, as now, ready to do justice to the Maoris in this respect as in any other. I will say that if there are any members in this House—and I hope not—who try to impress on the Maoris that either the Government or the House is desirous of inflicting injustice upon them, those members are not considering the good of the country. I think the proposal of the honorable member for New Plymouth, that this debate should be adjourned, is the best solution of the difficulty. It would enable the House to come to a conclusion as to whether the Maoris should have a right to vote upon our roll, and in what way they should have that right. That question can be taken up on another Bill in Committee, and decided upon that other Bill, and then we could resume this debate. For my part, if any mode can be suggested or devised by which the special representation—without inconvenience—can be gradually done away with, and the Maoris allowed to merge into the general race, I should be only too happy to adopt that suggestion.

Sir G. GREY.—Sir, I think that the Hon. the Native Minister has hardly understood the purport of this Bill. I understood him to say that those persons who assert that there is an intention to do any injustice to the Natives by this Bill say something which is very wrong.

Mr. BRYCE.—The honorable gentleman has misunderstood me. I said that if any member of this House tried to impress upon the Natives the idea that it was the deliberate wish of the Government or of the House to do injustice to the Natives, in this respect or any other, he would not be doing his duty to the country. I had not the honorable member in my mind.

Sir G. GREY.—I did not think I was alluded

Mr. Bryce

to; but what I mean is this: The Bill does propose to do a great injustice to the Natives. That is undeniable. First of all, passing back to the early portions of the history of this colony, one Native to-night, in very moving language, alluded to the assistance the Natives had given us when we were but few in the country, and were in a great minority to the Natives. Perhaps honorable gentlemen are not aware that that assistance went to a much greater extent than is generally now recollected or put forward. The father of the honorable gentleman, the Native who spoke to-night, to my knowledge for many months kept in the field a force of five to six hundred men, to whom no pay was given by Great Britain or by the colony—to which body of men no rations ever were given by Great Britain or the colony. They were rationed by their chiefs, armed by their chiefs: even but a small supply of ammunition was given to them. Our existence as a people in this country depended upon them; and I recollect that very honorable gentleman who spoke to-night running about my tent as a little boy, and that the great ambition of his father then was that his son should hereafter take part in the public affairs of this country, conjointly with the European population. To-night we have seen him here, and have seen that advance made. Well, now, Sir, at that time a distinct promise was made to the Natives that all rights belonging to the European race were also to belong to them. That was their charter of rights, and it was in the belief that they were to enjoy these rights and privileges that they gave that great assistance to us against their own countrymen. We were told just now by the Hon. the Native Minister that it was not until 1867 that the Natives began to any great extent to exercise their right of voting for European members; but what I would ask the House to recollect is this: that it was not until the year 1854 that anybody could vote for a member: that was the time when the Constitution was introduced. Now, I say that a very remarkable progress has been made from the year 1854 to the present day in the Native mind with regard to their right of voting for Europeans. I would next remind the House of this: that the British race, above all other races in the world, is supposed to be capable of governing the various nations amongst which it spreads, and of gradually leading them to adopt European laws and customs. Then, I will go on to say this: that the great point laid down by all European statesmen is in direct violation of the principles of this Bill, or, rather, this Bill violates those important principles which Great Britain has maintained at great cost and at great risks for many years past. No portion of the Empire was permitted to make difference of colour and race a reason for not bestowing the rights of citizens upon the several races who might inhabit the country. In this Bill, for the first time—or, rather, by the Legislative Council last year for the first time—was an attempt made to set up in New Zealand that odious—I may say that abominable doctrine that civil rights are to depend upon the colour of the population. That is the great principle of this Bill. I say that it

is an unjust principle, it is a wrong principle, and a principle which we ought not to recognize. I do not mean to say that intentionally it has been put forward with the deliberate design of doing an injustice; but it certainly does the greatest possible injustice to the Native race who inhabit this country, and who differ in colour from ourselves. It is to tell them that they are to be a race standing apart from us—that they are not to have the same rights as we have—that they are to be an inferior people; and I say that no greater curse can fall upon any country than to raise up in that country a race of a different colour, or even—I would leave colour out of the question—to raise up a race in that country who are to be told that they are not to have the same privileges that the great mass of the people are allowed to enjoy. Nothing could be more disastrous to our future, nothing could be more unfair to the Native race, nothing regards a race so much, as to crush out of their hearts the belief that they are in all respects identical with their fellows who occupy the same country as themselves. It is impossible to conceive the effect that a feeling of that kind has upon the mind of any race inhabiting a country with a race which presumes to call itself superior to the one that is put under the foot of the other. I hope the Government will abandon that principle—that they will feel that they owe it to the great nation of which they are a part to maintain the principle which that Empire maintains in every part of the world. In South Africa the coloured races vote equally with the European race; there is no question whatever as to colour. Sir, take the United States—a nation which is probably actuated by a purer, or, at all events, by a deeper love of liberty than any other nation in the world. What do they do? At all risks and at all hazards they insisted upon the coloured population, the moment they were set free, exercising all the rights of freemen. It was of the greatest importance to the people of the United States that that principle should be carried. When slavery was abolished that principle was acted upon—the slaves at once entered into the rights of freemen. Are we now to take away these rights from a race who have shown themselves worthy of freedom, whether in the field or in council, or in any way in which they have been tried? Are we to tell them that they are virtually to cease to be freemen, and not have the same rights that we have had given to ourselves? I am sure the House will not permit such a thing to be done. Well, Sir, I pass on to another point—the dual vote. The great object last year was to represent myself as the author of the dual voting. I never have wished for the dual vote; and there are many ways in which that might be got rid of. For instance, it might be done in this way: Leave the Natives to vote as their European countrymen vote. The honorable member for Rodney well pointed out how that vote would properly be exercised throughout the country. Then there are instances of many Parliaments throughout the Empire in which there are members who are allowed to sit and to speak—to re-

present the views of certain classes, or the views of the Government—and yet are not allowed to vote. Why should not this House entertain such a beneficent design—it would be a beneficent design—as instructing the Natives in the art of legislation, instructing them in the manners of a great Assembly like this, and gradually raising them to a knowledge of the way in which freemen conduct their debates, make their laws, and impose their taxation? Why not let more members be returned to this House, to sit here and to speak to their fellow-men, but without any power of giving a vote, because they have returned other members to vote for them? As the Natives become accustomed to the habits of a deliberative Assembly, as they are raised in civilization, let that number of members be decreased and decreased until they disappear. I only throw that out as one mode by which the design I understand the Government entertain of training the Natives in the art of legislation—which I consider to be a beneficent design—I only throw that out as one means by which all the ends we seek may be attained, and perfect justice be done to the Native race. This Bill contains other things which show that there is intended to be a difference made between the Native race and the Europeans. For example, in another Bill we find what are the qualifications of a European elector. It is stated that no man shall be capable of being an elector who has been found guilty of felony, fraud, or infamous offence, and who has not received free pardon. I objected to that in the European Bill, because I believe that a *locus penitentiae* should be left to all persons; that a man who has been tried in any Court in this country, and who has been sentenced by the Judge to the punishment which the law allots for his offence—having undergone the punishment the law has fixed to his offence—the moment that is done should be allowed to start upon the career of a free man, and have hopes opened up to him once more in the world—that the finger of scorn should not be pointed at him, but that he should be able to enjoy the same rights as his fellow-men in the country in which he lives. If I feel that with regard to the Europeans, I feel more strongly what is proposed to be done to the Natives. A Native criminal is to be placed in a worse position than a European criminal. Even if he receives a pardon he is not to be allowed after that to exercise the privilege of a European with regard to voting for the return of any member for this House. That shows that there has been a difference made between the Natives and the Europeans. I say, therefore, for all the causes I have stated, the Natives should possess the same rights as ourselves—first, for the great claims the Natives have upon our gratitude for the services they rendered us when first we came into this country; secondly, upon the ground of the promise made to them by our Queen, that they should have equal rights in all respects with their European fellow-subjects; thirdly, because the British Parliament, the great British Legislature, declared in the Constitution Act that they should have the same rights for returning members as Europeans. Then, again, because they have had those rights

for upwards of twenty years—for five-and-twenty years, in point of fact—and never at any time wrongly used those rights: in fact, if they did use those rights, it has been for their advancement in the knowledge and proceedings of civilized life. I say, for all these reasons, and looking to the fact that no other portion of the British Empire has ever attempted to do anything of the kind proposed, I do trust this House will pause before it cuts off from the Natives rights which they have so justly earned, which were so rightfully bestowed upon them, and which every other subject of the Queen in every part of her vast Empire—an Empire greater than has ever before been seen—enjoys. Throughout every part of her Empire her subjects enjoy the same privileges, whatever may be their colour. I adjure this House to leave those rights of the Natives undisturbed—to leave the Natives to vote precisely as they do at the present time. I am sure the wisest thing is to drop this Bill for the present, and follow out the course pursued by myself and my colleague, the late Native Minister—that is, to allow a conference with the Natives as to the way this vote shall be disposed of; and, after giving careful attention to the subject, either to adopt some such plan as I have proposed for getting rid of the double vote by degrees, which I think will be the best plan, or adopt some other plan which I have no doubt the ingenuity of honorable members will discover. Let the Government drop this Bill, and leave the matter exactly as they found it. I should be sorry to see the stigma attach to the Ministry—for doing that for which they would afterwards be sorry—that they were the first Ministry in any portion of the Empire to take from the subjects of the Queen rights that they possessed, simply on account of their colour—who made a difference between two races in a country where no distinction of the kind prevailed before between these races, and which two races it is desirable in every possible way to link together for all time, rather than have disturbing influences thrown in between them to embitter their feelings towards each other—to give rise to a feeling of sorrow, on the one part, for what they have done, and, on the other part, a feeling of having been subjected to treatment of a kind which I am sure will ultimately bring about trouble and ill-will between the two races, and which prudence, justice, and an adherence to rules which have been inviolably observed in the Empire will enable us to tide over in such a way that peace and progress may continue in New Zealand, and that the Native race may not cease advancing to that high degree of civilization which I am sure they will ultimately attain.

Mr. ROLLESTON.—Sir, I do not propose to occupy the time of the House for very long; but I have a word or two to say with regard to what has fallen from the honorable member for the Thames. He has been pleased to say that it has fallen to the lot of this Ministry to be the first that should bring down a proposal drawing a distinction between the two races, Maori and European, in these islands, and that that proposal was brought down simply and solely on

Sir G. Grey

account of the difference of colour. Well, Sir, there was a vulgarity about the idea which does not reflect credit on the discussion of the subject now before the House. The honorable member must know and feel that an accusation of that kind is utterly and entirely unjust. The honorable member began by saying that this Bill proposed to do a great wrong; and then he seemed to doubt, in his usual manner, and used the expression he then invariably uses—“That was the case, Sir.” This Bill proposes to do no wrong whatever; and I was glad to see the Maori members get up one after another this evening, and acknowledge that they had formed a wrong judgment of this Bill to begin with. I have not gone in for patronizing the Maoris on the one hand, nor, on the other, have I ignored their just rights. That has been the position I have always taken up with regard to the Native question in the past, and it is little likely that I should lend myself to a Bill which would either hand them over to the pakeha-Maori, on the one hand, or leave them entirely without hope of amalgamation in this Assembly as members of a common Legislature, on the other. The honorable member has said that the great principle which has been established in the past, which the British Parliament established in the Constitution Act, and which this country has ever since recognized, is an equality of rights between Maoris and Europeans. Sir, I should like to know where that Act contains any provision that places the Maoris in this respect of representation on an equal footing with the Europeans. What single clause does it contain that really promises to put them on a footing of equality in the Representative Assembly of New Zealand? What has the law given? The right of pre-emption by the Crown over all Maori lands. It must have been years and years before, by purchase and acquisition, the Maoris could have obtained any real representation in the Assembly under the property qualification of the Constitution Act. Was it under the household clause that they were to get the qualification to vote for members of this House? The thing is ridiculous. It was not contemplated by the Constitution Act that they should obtain any voice in the Legislature here; and at the time the Constitution Act was passed there can be no doubt that was the case with regard to the Maori race. It was then the duty of the Crown, when entering on the government of a country where there was an inferior race—I do not, when I say “inferior,” at all question the capacity of the Maoris with reference to the future to protect the interests of their race—when the Crown took possession of a country, and found in it a race that did not speak the same language, that had not the same ideas, that had not the same modes or capacity for dealing with the incoming race—the Imperial Government ought to have maintained, and did maintain, that protectorate over Maori interests until upon the establishment of responsible government the duty passed from them. There are those who think the Crown should never have given up this function. The moment, however, you established responsible government,

and took over the government of the country, and left the Governor no longer, as he was, the representative of the Imperial Government in Maori interests, from that moment it became necessary that in the Legislature of the colony the Maoris should have a voice. But it would have been a simple mockery at that time to fall back on the Constitution Act. The late Sir Donald McLean and others who were interested in the question at that time said, "We cannot ignore the fact that they have no longer got the same protectorate they had, and, unless we give them some form of representation in the Legislature, their interests cannot be conserved under the system of responsible government in a progressive country, where the colonists are from day to day looking eagerly for land, and the Maori interests are likely to be forgotten in the interests of colonization." The honorable member speaks as though great credit is due to him and his Government for having maintained those rights of the Maoris. What did the late Native Minister say?—"We were the first who brought down an Act which took away privileges which existed under the Constitution Act." He said that distinctly. He saw very well that the question of representation, under the most liberal interpretation of the Constitution Act, could not under that Act be dealt with in the interests of the Maoris. We gave them, by a short cut, if I may use the term, a representation in this House, which I am glad to say they have recognized the benefit of, and which I am sure they will not be so foolish as hastily to resign. The honorable member speaks of putting Maoris into this House, to sit here with no power to vote, but simply to educate them up to a certain point. I do not for a moment believe that the Maoris would be content to sit in this House and not record their votes. They have a pretty keen idea of the power of voting, and of the influence which it gives them in respect of Maori matters, and you will not find them hastily giving up their power of voting for what would be nothing short of a miserable sham. The fact is, that this Maori representation at the present time is a thing that cannot be taken away, that will not be taken away, and that no Government dare attempt to take away. But until they are better acquainted with us—until they speak the English language, and are better acquainted with our customs and laws—it is perfectly ridiculous to talk of them as a people on an equality; and I always mistrust, and I hope Maori members will mistrust very much, the people who talk of their being on an equality. I always think, when that cry of equality comes up, it comes from those people who are trying to flatter them for their own purposes. I have nothing more to say upon this matter. For my own part, I am quite content with this measure, which has been admitted by the honorable member for Rodney and others to be a measure of unusual liberality to the Maoris. It has been stated by the honorable member for Rodney and the honorable member for Port Chalmers that this is a Bill which would give largely increased representation to the Maoris. I am content, if the House is not unanimous on this measure, to say that it

shall be postponed in favour of a proposal such as that which has been named by the honorable member for New Plymouth. I believe that this is a proposal under which the distinction between the Maoris and Europeans will gradually taper off, and that the measure we propose is one which ultimately must come to pass, and I believe it will attain that object more easily than any other measure. This Bill says we recognize the Maori race as subjects; we give them a representation, in proportion to the number of loyal subjects that are of that race, equal to that given to Europeans. Then it will only be a question of time when they will exercise the privilege of speaking the same language and understanding the same laws. It is only when that time is more fully come that an absolute identity can be established between the two races. I believe the Government have brought down a wisely-considered measure—probably before its time; but the time will come, and it is only when it does come that the Maoris will be fairly and properly represented. They will not be represented by pakeha-Maoris and designing people of that class in this House. They would be very much better represented by their own members until such time as a knowledge of our language and laws will afford them an opportunity of taking a proper part in the deliberations of this House, and of forming a correct judgment on the various questions that come before them.

Mr. BALLANCE.—Sir, holding as I do that the highest object of this Legislature is to efface as soon as possible the difference which now exists between the two races, I cannot but express my utmost dissatisfaction with the speech of the honorable gentleman who has just sat down. The honorable gentleman thinks that the measure which the Government have introduced is calculated to effect that amalgamation of the races which he seems so earnestly to desire; but when he said that the measure would have the effect of "tapering off"—to use the expression of the Native Minister—the differences that exist between the two races, he forgot to establish one important conclusion—namely, how the measure was to be accomplished.

Mr. ROLLESTON.—I did not say this measure would be a tapering-off measure.

Mr. BALLANCE.—I understood the honorable gentleman distinctly to say that that would be the effect of the present measure. Now, Sir, I have looked upon this measure as having the very opposite effect—the establishing between the two races an irreconcilable barrier, beyond which the Native race could not pass. For what does it do? It intensifies the exceptional representation, and it destroys the right which the Natives have under the Constitution Act, and which the Natives were largely exercising—namely, to become qualified electors under the ordinary electoral laws of the colony. This Bill, as I say, absolutely destroys that right. It takes it away. At least, this Bill, combined with the Qualification of Electors Bill, accomplishes that. Now, Sir, the honorable gentleman has referred to the late Sir Donald McLean as having vindicated this exceptional legislation.

But he also forgot this important fact: that the late Sir Donald McLean only introduced the special Representation Act as a provisional and temporary measure, and he expressly said that it was only to have operation for a certain time, and that when that time should lapse it would cease—for this reason: that the Natives would ultimately come to exercise and value the electoral privileges which they would enjoy in common with the Europeans of the colony. So far, then, from carrying out the intentions of the late Sir Donald McLean, the Government are absolutely destroying that intention; they are attempting to destroy the right which the Natives have in common with the Europeans. The honorable gentleman says that he distrusts those people who talk about equality. Sir, we have heard a great deal in this House lately about personal government. Now, I say that where a Government expressly encourage exceptional legislation for the Maoris, and diminish the common right which the Maori has with the European, they are lending themselves to personal government, and are doing the opposite of trying to minimize personal government. He says that the Bill proposes to do no wrong whatever. The question, to my mind, is not whether it is right or wrong: the question is entirely one of expediency. The principal object should be to attempt to place the Native exactly on the same basis, with regard to his electoral privileges, as the European, to declare that this exceptional legislation should be merely provisional, and that a time should be pointed to when it should come to an end altogether. If we suppose the common electoral privilege taken away from the Maoris, and if we suppose at the same time that they receive, as they probably would receive under this measure, double the representation, what would be the result? That the Natives themselves would come to value the special legislation as the only thing that was worth having, and they would be weaned away from that common privilege which they now enjoy with the Europeans. That would be the effect. I know that, so far from this common right of voting for Europeans which the Natives enjoy under the Constitution Act having had the effect of placing the Natives in the power of low-caste whites or people of bad reputation, as has been hinted by the honorable gentleman at the head of the Government, it has had the opposite effect. I believe that, if those members who represent electoral districts in this Island in which there are Natives and Europeans were to appeal to the Natives as well as to Europeans, the effect would be the very opposite of what the honorable gentlemen themselves believe. During the last election I myself, for the first time, addressed a special meeting of Natives, and I never attended any meeting which to my mind was more satisfactory. The Natives listened with great attention. Their questions at the end were practical and to the point, and not one improper question was suggested or proposed. They took a keen interest in the subjects discussed, and behaved with as much order and decorum as any European audience could do. So that I believe the effect of bringing the Euro-

Mr. Ballance

peans and the Natives together, and forcing upon the candidates the necessity of meeting the Maoris and explaining matters to them, taking up their grievances and representing them in this House, would have the best possible effect on the Native mind. The honorable gentleman who introduced this Bill told us that the last Government proposed to give votes to Natives who paid no taxes. The honorable gentleman seems to have overlooked the fact that the Natives of this Island, one and all, pay probably as large a share of taxation through the Customhouse as the mass of Europeans do; and I will venture to say that the Natives, man for man, pay as large a proportion of the taxation of the country as the Europeans generally do; and yet he would deprive them of the right of the franchise—why? Because they pay no taxes! I say the honorable gentleman is entirely deceived. The Natives do pay a large share of the taxation of the country. The honorable gentleman says the Natives do not understand our politics; and he fails by his proposal to give them the opportunity to understand our politics. The only means of enabling them to understand our politics would be to place them on the same footing as the Europeans. A more reasonable proposal, and one which would have been satisfactory to both races, would have been to give the Natives precisely the same franchise as the Europeans are to have under the Qualification of Electors Bill—to give them the special representation which they at present enjoy, for the present Parliament, and then to declare that at the end of the present Parliament the special representation should lapse. By that time the Natives and their friends would have an opportunity of placing all the Natives, or as many as possible, on the electoral rolls; and by the end of that time there would be so large a body of Natives on the rolls that they would come to value the electoral privilege, and would regard it as a satisfactory substitute for the special representation. That would be by far the soundest way to deal with this question. I do not believe in suddenly taking away the special representation: it would injuriously affect the mind of the Natives. The honorable gentleman who introduced the Bill seemed to think that the Natives would suffer in the proportion of representation in consequence of the property qualification which the Europeans are to enjoy under the Qualification of Electors Bill. There, I think, the honorable gentleman reckoned without his host. I think, if I correctly interpret the mind of the House, there is no intention whatever to give the Europeans the dual vote—the property qualification—in several districts in the colony. The mind of the House has been sufficiently expressed, and we may reasonably conclude that the intention is to give no man more than one vote in the colony. If so, his argument on this point falls to the ground. Now, my impression is that the prevailing principle ought to be one law for both races—that that should be the underlying principle upon which all legislation should be built up. With regard to Europeans and Natives, I hold that, until we properly appreciate the soundness of that principle, we shall always

be blundering with regard to questions of legislation for the Native race. It is perfectly true that we have had too much personal government in this country, and we have heard a great deal about the system of personal government carried on under the last Government. But, Sir, this system of personal government was a legacy handed down by successive Governments, and thus came into the possession of the last Government. Every honorable member of this House knows that the power and *régime* of the late Sir Donald McLean were built up entirely in consequence of his great personal influence, and in consequence of the exceptional privileges arising from undefined money grants which he had at his disposal for the purpose of securing personal support amongst the Natives. I say this legacy was handed down, and came into the possession of the last Government: but I merely allude to that incidentally. What I wished to point out is this: that we have heard nothing to-night but one series of apologies for this system of personal government from those honorable gentlemen who have declaimed so loudly against that system. Surely, as they have advanced it as a serious charge against others, they should have put into practice the opposite system, and what I believe to be the right system—namely, the ordinary system of government as applied to Europeans. The opportunities of those honorable gentlemen are great. The time has now arrived when that may be done to a large extent. My own idea with regard to the Natives is that all our difficulties have arisen in consequence of our meddling with the Native people—that a simple policy of justice and firmness would, not only in the long run, but almost immediately, be most conducive to the peace and prosperity of the colony. I will go very much further. I hold that nearly all the trouble that has arisen in this Island has been due to the blunders of the Europeans, and to the blunders of successive Governments, and that it arises entirely from treating the Natives under a system of exceptional machinery, altogether different from the manner in which Europeans are treated. It is said the Natives will not consent to pay taxes in the same way as the Europeans. Why, Sir, if we have listened attentively to the speeches of the Native members, we must have observed the consistent and continual statement that they were willing to pay taxes the same as the Europeans, and that, in fact, they were proud of the privilege. I firmly believe that, if the Natives are asked to pay rates the same as the Europeans, these rates will be paid willingly, if in their responsibilities—that is the important consideration—they are placed on the same level with the Europeans. Now, Sir, when the Qualification of Electors Bill goes into Committee, I intend to propose that the property qualification be retained, subject to this important consideration, that no person shall have more than one vote in the colony. I shall then move that the Natives shall have their freehold qualification, and I hope that that freehold qualification will be retained, because I say that the striking-off a large number of Natives from the electoral rolls who are now upon them is im-

politic and unwise, and will create nothing but dissatisfaction in the Native mind. I am utterly surprised that any Government that pretends to understand the Native character should make a proposal so utterly revolutionary as that. We know that if we proposed to strike off the Europeans the utmost dissatisfaction would be the result. What, then, would be the result in the case of the Natives? The fear of this consequence has been alluded to by several Native members, and I say that nothing would create in their minds a greater sense of wrong than to deprive them of a right they have so long enjoyed. As to doubling the number of members, I am not at all sure that the proposal would have that effect. The Premier said that six or seven members would be returned in consequence of this Bill becoming law: but that would entirely depend upon the number that would be registered upon the rolls. We have heard the Native members to-night express the apprehension that few Natives would allow themselves to be registered or placed upon the rolls at all, and we know that there are certain populous centres in Native districts in this Island where the Natives would refuse the electoral privilege altogether. If so, then it is probable that the representation will not be increased. What then would be the position of the Natives? They would feel themselves deprived of their privileges in regard to the election of European members; and, on the other hand, they would have no greater privilege in respect of their special representation. And are honorable members prepared to face the position that would place them in? Are they prepared to take away the special representation the Natives now enjoy, or even run the risk of taking it away?—because it depends upon their being registered, and we have heard upon the best authority to-night that they are unlikely to register. I hold, therefore, that it would be unwise to proceed with this measure. The only thing for the Government to do is to restore the franchise which they have deprived the Natives of under the Qualification of Electors Bill, to drop this Bill altogether, and to allow the special representation to remain in force during the present Parliament. I re-echo the opinion of the honorable member for New Plymouth, who said that we should not make this a precedent; but we have a right to watch those honorable gentlemen and see that they do not deprive any class of privileges which it at present enjoys. That appears to me to be the desire of the Liberal party in this House, and we are determined that, while we do not push this matter to extremes, we shall see that no wrong is done to any portion of the community. I believe the best thing to do is to hold over the Bill until we see what is done with the Qualification of Electors Bill. The best thing for the Government is to bury this Bill in the archives.

Colonel TRIMBLE.—The honorable member for Wanganui (Mr. Ballance) says it is very wrong for Parliament to take away any privileges which Her Majesty's subjects enjoy under the present laws, and yet he himself intends to propose a resolution, when the Electoral Bill comes on, to deprive persons of the right they now possess of

voting in more than one constituency. I entirely agree with the honorable gentleman with regard to depriving those Europeans of that right; and so far he shall have my support. When we come again to the question of Maori qualifications, I shall also have the pleasure, I hope, of being in the same lobby with him, although in a different way from that which he proposes. I do not intend to support him or any other honorable member in giving the Maoris a right to vote upon the freehold qualification in the election of European members of this House. But I shall support, and, if necessary, bring forward, a proposal for giving Maoris a right to vote for Europeans in those constituencies where Maoris choose to allow themselves to be put upon the rate-roll and pay rates. At the same time, I shall endeavour to have a clause introduced which will deprive them also of the right of voting in two constituencies: that is to say, if they choose to vote for a European member they shall not be upon the roll to vote for a Maori member. Suppose we have no safeguards such as I have indicated, just consider the position we should be in in some constituencies. We have already seen that the controlling influence in one constituency is the Maori vote. I am not going to find fault with the representative who has been sent from that constituency, but I do say that there have been circumstances connected with that constituency in quite recent matters which no member of this House can at all be proud of. Therefore, with this observation, I will drop that constituency and go to my own. In the Province of Taranaki I apprehend that, were the Maoris allowed to vote for Europeans, if they were put in every respect on the same footing as Europeans, we should have at least fifteen hundred persons added to the rolls of the district. What would be the effect of that? Would it not be that any person who should assume an independent attitude, who should simply endeavour to come to this House to do his duty to his country, without reference to the prejudices or passions of his district, would have no chance whatever of being returned? He would have to address himself to a large constituency which could by no possibility understand the questions which must interest him, and must interest them if they could only comprehend those questions. The votes of a large portion of the constituency would be entirely at the beck and call of persons who could get at them either by speaking their language or by pandering to their passions. That would be an unfortunate position for any constituency, and in one district there would be three constituencies in that position. So far as I am concerned, I cannot agree to any law which would bring about that state of affairs. It has been said by the honorable member for the Thames that in no part of the British Empire is there a distinction on account of colour. He is right nominally, but he is not right at bottom. There is no law with regard to colour, but he is wrong when he pretends to say that there is no distinction in regard to race. The largest portion of the British Empire—India—is ruled by Europeans. The officers of the army are European; and so also

Colonel Trimble

with the Civil Service: only the common servants of the Government are native. Even in the West Indies the circumstances of the two races are entirely different. Voting power there goes with property, and the more civilized race is necessarily at the head of affairs. Here, on the other hand, you are making the suffrage universal, and consequently a large proportion of the representation must necessarily be at the mercy of persons whose modes of thought are entirely different from those of Europeans, with this further disability: that they do not understand the language; that candidates would have no means of getting to them to explain the position, no means of showing their sympathies or thoughts on the great questions which should influence the election. If we were only to drop the whole question as between this Ministry and the last Ministry, and this party or the other party in the House, and look to the general expression of opinion which has been already given, we should come to some such conclusion as this, subject of course to modifications: We should continue the Maori representation until the Maoris are in such a condition that they can come upon equal terms with ourselves into the arena. But I think there is a general feeling that this special representation should not be at present much increased, if increased at all. Then we should provide for their gradual incorporation in European constituencies, and upon the basis of paying rates. In the Bill which next comes before us a clause might be very well introduced providing for this. I would make it optional which constituency the Maori voter would choose to belong to. Under this provision the Maoris would gradually come round to our ideas; they would gradually get used to our mode of voting as they learn our language; they would more and more be entered upon the European roll rather than upon the Maori roll; and, in the course of years—far more, I am afraid, than the honorable member for Wanganui anticipates—they would become part and parcel of our ordinary constituencies. Then, of course, the Maori special representation might be done away with. If we drop the idea of looking at this question either from a Ministerial or from an Opposition point of view, something like what I have indicated will be the result.

Mr. MOSS.—I think the House must have felt considerable surprise when they found the Government and the party which spent so much time and exerted itself so much in denouncing what was called the Maori dual vote, coming down with a Bill proposing to perpetuate that dual vote, and to fix it as an institution of the country for all time to come. This Maori Representation Bill really is the dual vote. I maintain, and always have maintained, that the right to vote with Europeans is the inherent right of the Maoris, that we cannot take it from them, and that any attempt to do so will recoil on our heads. It will be an act of gross injustice which it will not be safe for the Europeans to permit, because, if we allow the Maoris to lose the votes which they now have, for the reasons alleged by various members

—especially by the honorable member for Grey and Bell—it will not be long before we find a party arising in this House prepared to use the same arguments against what they will call the most ignorant part of the European population—those who do not hold property—and who, they will declare, are unfitted to use the franchise intrusted to them. Every argument used against the Maori has been used in some past time, and is used now in England to a great extent by some people, to show that a very large proportion of their fellow-countrymen are not fit to be trusted with the suffrage. I hope it will not be allowed to weigh with honorable members for one moment. I am sure, also, that the evils attached to the Maori vote are greatly exaggerated. The Minister of Lands derided the idea of giving Maoris the vote, and told us that it would throw them into the hands of pakeha-Maoris. I should like to ask whether honorable members who represent Maoris in this House can be called pakeha-Maoris. The honorable member for Clive represents a large number of Maoris, and the honorable member for Kaiapoi has himself said that he has a great many Maoris in his constituency. Then, with regard to the honorable member for the East Coast, can we say that he is not a worthy representative of the Maoris in his district? Then, again, the honorable member for Napier (Mr. Sutton), and, if I mistake not, his colleague for that constituency (Captain Russell), owe their seats to the votes of Maori electors at last elections. They absolutely hold their seats by the majority they obtained of Maori electors. They were defeated in the Town of Napier itself, and they gained the votes in the neighbouring districts among the Maoris. That is what gave us the opportunity of having these honorable gentlemen with us. Are these gentlemen the pakeha-Maoris into whose hands we are throwing the power, as we were told by the Minister of Lands that we should do if we allowed the Maoris to exercise the vote with Europeans? Then the honorable member for Wanganui (Mr. Ballance) has told us that he represents a large number of Maoris here this evening. I mention these facts to show how greatly we are exaggerating the evil of allowing Maoris to be on the European rolls. I have had opportunities of seeing them voting—of seeing how they behave on these occasions. I wish they were more fit to exercise the vote, but feel that it is only by admitting them to the vote that we shall do any good. There are two evils: we must make the choice of two evils, and I believe that by far the lesser evil is to admit them on the roll, and gradually train them to habits of thought such as influence ourselves. The Minister of Lands seems to be of a different opinion. I was much surprised to hear him still maintain the doctrine that we ought to maintain the protectorate over Maori interests—that we should always maintain it. That is the doctrine we now hear from honorable members on the Government benches who have denounced personal government—who have declared that personal government of the Maoris was one of the greatest evils. Now we find it is the deliberate opinion of one of the most influen-

tial members of the Government that we ought always to maintain the protectorate over the Maori interests—that we should still maintain it, and treat them as though they were not British subjects and entitled to the same privileges as we are ourselves. The honorable member asked what right the Constitution gave to the Maoris. I say the Constitution gave to the Maoris every right of British subjects which we possess. Can honorable members show us one single right of which they were deprived? There was an agreement made with respect to pre-emptive right to Native land; but in all matters of government—in all matters of law—they were placed on exactly an equality with ourselves: and that equality I trust we shall make it one of our most earnest endeavours to maintain. The honorable member also said that to give Maori members a seat in this House without a vote would be a miserable sham, and declared the thing was unheard of in any Legislature. Why, in one of the greatest Legislatures in the world, the United States Legislature, there sit a large number of members, representing hundreds of thousands of intelligent people in what are called the Territories—they sit there with the right to take part in all the debates, but without the right to vote. Yet the honorable member says this is an unheard-of idea, and not practised in any Legislature in the world. I have no doubt, with a little careful looking up, one would find many other cases in which it is practised. It seems a course which would recommend itself to the common sense of every one of us. It would be a great gain to the Maori members in the House. It would save them from much intrigue and from much trouble if they took part in the proceedings with the European members, but at the same time without a right to vote. Then, as to the argument that the Maoris ought only to vote when we allow them to be put on the rate-roll, we are not asking them to allow us to put them on the rate-roll. The time will come when we shall do so, whether they like it or not. That argument, therefore, has no weight at all. That they are not put upon the rate-roll at present is a matter simply of temporary policy and temporary expediency. We think it would be harsh and unfair to force upon them greater sacrifices than would be forced upon Europeans. If we put them on the rate-roll, and insisted on their paying rates just now, it would be ruinous to them. As a matter of policy, as a matter of consideration, and as a matter of expediency, we refrain from doing so at present. But we have power to do so at any time, and that power will most assuredly be exercised as time rolls on. Are we to say that we exercise that power over them, and that they shall not have the same vote as ourselves? No; it will not bear a moment's reflection. Why should we raise a pale, and say that one part of the population, within that pale, shall exercise certain privileges, and that the other part—the Maori population—shall be without that pale, and have no voice in the legislation they are bound to obey? In discussing this question we are doing so under very great inconvenience from the manner in which the Govern-

ment have brought down these Bills to us in dribblets. On this point I would quote the words of the honorable gentleman who represented the Waikato District, and who is now a member of the Government, to show the inconvenience of the course the Government are now pursuing:—

"In framing a measure of this kind there ought to be a complete code. The whole ought to have been put before us at once, when we should have been able to see how the different parts fitted with one another, and whether each was consistent with the other. But we have got this new electoral scheme by dribblets. First of all we get the present Bill, next we are to have one dealing with representation, and then we are to have another Bill affecting the Natives. Why could not all these have been put before us in one form and at once, so that we could see how the parts fitted in with the one we have?"

I shall add nothing to this to show the inconvenience of the course which is now being pursued. We are discussing these Bills by dribblets, and it is impossible to take a connected view of the whole; and, if we are not very careful in considering the amendments suggested to us, we shall make a very great mess of the whole affair. It will rest with every individual member of this House to watch these Bills most closely, and to introduce what he may consider amendments. He will be bound also to see that in introducing these amendments he is not destroying the unity of the Bill. I will confine myself on this occasion to the Bill before the House, and I sincerely hope that it will be withdrawn, or that the amendment that it be read a second time this day three months will be carried. I look upon the Bill as having nothing at all to recommend it. If it be the intention to add to the number of Maori members, then I say it is a sham, for it will not do so. If it be not intended to add to their number, then I say the Bill is unnecessary, for we have already a Bill which has given the Maoris satisfaction, and of which they do not complain. Then, why introduce this Bill at all? The sooner we get rid of it and go to the other work before us, the better. As to the statement that the Maori electors will be in the hands of the pakeha-Maoris, honorable members who have had any experience of the Maoris must know such is not the case—must know that they have minds of their own—that they are always divided into two classes, and are always influenced by persons in whom they have confidence. Is that not the case with Europeans? Do they not trust to those in whom they have confidence? But if we want an instance patent to us all to show that the Maoris can act independently, to show that they have minds of their own, to show that they have a sense of honor which is precious to them, we have only to recollect the scene which took place here the other night, when a Maori Minister threw up his portfolio and walked across the floor of the House, and took his seat on those benches—a Minister who would not sit on the Government benches when he was unable to do good to the people he represented. I say that was a most noble example. When we find a chief of their race acting in that way, so thoroughly

interesting himself in, and so thoroughly identifying himself with, the welfare of those he represents, as to act in such an unselfish manner, we may well understand the influence which these chiefs have over the rest of their people. I think it would be wrong—I might almost say, to my mind infamous in the highest degree—if we attempted to take from the Maori electors privileges which they have so long enjoyed, while we are at the same time extending the privileges of their European fellow-subjects.

Captain RUSSELL.—The honorable member who has just sat down was pleased to allude to me as a good specimen of the pakeha-Maori. I have had various compliments paid me, and various charges levelled at me; but I have never before been called a pakeha-Maori. I do not know whether on this occasion I should take the statement as a compliment or as a charge against me.

Mr. MOSS.—I did not say the honorable member was a pakeha-Maori. I said the honorable gentleman was a representative of Maoris, and we had been told by the Minister of Lands that if we gave them the vote they would fall into the hands of the pakeha-Maori.

Captain RUSSELL.—I hope the honorable gentleman does not think I wish him to apologize. I will accept it as a compliment. I wish to correct the honorable gentleman on one point. He told the House that, having had a minority of votes in the Town of Napier, I was returned to this House by a majority of Maori votes in the country. I should have been fortunate under such circumstances. It is immaterial to me whether the Maoris or the pakehas returned me. As a matter of fact, however, it is not the case that I was returned by a majority of Maori votes. The election was won by about seventy-eight votes, and I am certain that, although I got a majority of Maori votes, they did not decide the election. Even supposing it was so, I see no reason why I should not be returned by Maori votes. I believe this to be the case—and there are honorable members present who cannot deny it: that the bulk of those votes were put on the electoral roll with the express object of keeping me out of the House. On the first occasion I addressed the electors when seeking a seat in this House, I said that, Maori votes having been put on the roll by certain persons against my interest, in all probability the Maoris would change their opinion in a very short time, and that they would be of material assistance to me. Such has turned out to be the case. I most thoroughly support the idea of granting the suffrage to the Maoris—that is, the same suffrage as is given to Europeans. There are, however, difficulties in the way which I should be most happy to get over, if it were possible to do so. In listening to the speech of the honorable member for Wanganui (Mr. Ballance) there was a good deal with which I agreed, but I could not understand him altogether. At one time he appeared anxious to give the suffrage pure and simple to Maoris and Europeans alike, and shortly afterwards he talked about a property qualification for Natives, which should be concurrent with special representation. Here, Sir, I do not entirely follow him. I entirely agreed

Mr. Moss

with him at that part of his speech where he said that he would wish to maintain the special representation until the end of the present Parliament, and would then abolish it altogether. The main difficulty, as it appears to me, is this: that, whereas members have spoken of the Constitution Act, and have said that we should not raise any distinction on account of colour between the European and the Native, they have entirely ignored the fact that it was not so much the Europeans who wished to raise this distinction, but the Maoris themselves. Every Maori member who has spoken this evening has said that he objected to the special representation being done away with. If the Legislature is prepared to do away with special representation, I believe in a very short time—this session, perhaps—the House will agree to give them the very same representation; but the Maori members do not agree to that. They are pleased with the principle of the Bill, though they are displeased with one or two of the details of the Bill. Though I am myself fully prepared to extend to the Natives the same rights as we have ourselves, I do not admit the theory that their right, as the honorable member has said, is inherent, because no man has an inherent right to take part in the government of a country unless he submits himself to all the laws and responsibilities. Once a Maori submits himself to all the laws and responsibilities, we understand that he places himself on terms of equality with everybody else. But, unfortunately, we are not in that position. It is an undeniable fact that the Maoris are not willing at the present time to submit entirely to our laws. Whether in active hostilities, such as now on the West Coast and the Thames District, or in passive hostility, as in the King country at the present time, the fact remains that they do not submit themselves to our laws, and consequently, it is a matter of impossibility they should be placed on the same footing as ourselves. My object would be to try and place them identically on the same footing as ourselves, and by so doing I believe we shall more speedily do away with the Native difficulty than by any other means. An honorable member (Mr. Tawhai), in speaking to-night, said that the Natives would not take the trouble to place themselves upon the electoral roll, and therefore they would be disfranchised. If that be the case, it is evident the Maoris cannot seriously care for electoral privileges if they will not take the trouble to register their names. Honorable members cannot forget that the honorable member (Mr. Tawhai) said the other day that if this special representation were taken from them in his district they would block up the roads and take away the telegraphs. At least what he said was something identical with that. The suggestion of the honorable member for the Thames (Sir G. Grey) pleased me. I think that as soon as possible we should allow the Natives to come upon the same roll as ourselves; but, as we cannot do away with special representation, it would be a very good thing to allow the Maoris to come in here and sit and take part in the debates, and I would have no objection to their recording their votes in connection with

matters solely affecting the Maoris. That is to say, they should have nothing to do with the imposition of taxation. The argument used by the honorable member for the Thames (Sir G. Grey), that we should be not only setting a good example, but following the custom of the Empire, by allowing subject-nations to take part in the government of their country, was sound, and was not answered by the honorable member for Grey and Bell when alluding to the occupation of India. I think it is a recognized fact amongst the most thoughtful Indian statesmen that the good and peaceful government of that country can never be assured until the natives take part in the government; and not only the lower offices, but many of the higher offices are being opened to competition, and the natives of India are invited to undergo competitive examination, and take part in the Civil Service of the country. I need only allude to the trial of the Gaikwar of Baroda, when three of the principal princes of India were requested to sit and try him, along with three or four Europeans; and this was viewed by Indians as a great concession in their favour. The difficulty remains—What are we to do with this question? The Natives themselves are certainly not willing to give up the special representation. It is very well for us to theorize as to what is best for them, but they object altogether to having the special representation taken away from them. Whether you take the Native aside and talk to him privately, or meet him in this House, you will find him objecting to having the special representation taken away. They say openly that they do not care for the privilege of voting for European members. I think, under the circumstances, we shall meet their views best by allowing special representation to continue for a short time longer; and I should like to see them granted a property or, rather, a ratepaying qualification, to vote for Europeans. I believe that to be the lesser of two evils, because the Bill as at present does not commend itself to my mind. I cannot help feeling that, if we had six or eight Native members sitting in this House, they would possess an absolute control which would be as distasteful to Europeans as the taking away of the special representation would be to the Maoris. As we have to suit our circumstances from day to day to the exigences of the moment, I think all we can hope to do is to perpetuate the present special representation until the end of the present Parliament; and then I hope that we may abolish it altogether. But I think that now is the time we should deal with it. I do not approve of putting this Bill off altogether. My reason against voting for the Bill would be this: that there can be no doubt that, so long as there is special Maori representation in the House, so long will there be an element about it which will always be the subject of a very great amount of intrigue; and I think we should be more likely to get an impartial Bill passed when, as now, there is no probability of a dissolution, and when there is no dominant party on one side of the House or the other. We shall get a fair Representation Bill passed when the Government sitting in the House is not likely to be affected by it.

Mr. TAINUI.—Sir, I have something to say with regard to this Bill that has been brought down for the purpose of increasing the representation of the Maoris. My idea is, that the Government should take back this Bill, because there are certain principles in it which are not at all equal. They should withdraw it with a view to looking over it carefully and making the necessary alterations that are required. With regard to the period from the year 1868 to 1870, when that Representation Bill was first allowed on behalf of the Maori, there were no measures brought down in this House or passed affecting the Native people. It was not until 1871, when the Maori members were in this House, that they discovered certain laws which were very good for the Maoris. From that period the Maoris became aware of the fact of good laws existing for them, and they commenced from that time to send in petitions relating to their grievances. The Maoris have thought over the thing, and have come to the conclusion that laws affecting them are softening more in their nature as things go on, and now I say this Bill should be milder in principle than anything hitherto obtained. In the year 1873, when the electoral roll was introduced into the other Island, the person who had charge of it said, "Would you like to put your names to this roll, that you may be looked upon as chiefs?" The Maoris considered what that person said, and thought that probably it might be true, and they accordingly submitted their names to be registered. Since that time the European members have gone forth and solicited the votes of the Maoris that were placed upon the roll, and through that also Europeans have been in favour of the vote being allowed to remain with the Maori. Those whose names are on the roll vote for Europeans, and those who are not on the roll vote for Maoris. I should like the Government to look through this Bill carefully, and amend anything in it which is wrong. In the previous speech that I made to this House I stated that it was the general desire of the Natives that they should have increased representation, and, if the principles of this Bill were made clear, the Maoris then would have an opportunity of having their hopes realized. That is why I say to the honorable gentleman who introduced this Bill that I wish he would withdraw it until things are made quite clear. Suppose the Bill were to pass in its present form, the Natives would afterwards discover the evils of it, and the blame would be thrown upon us. They would then seek other methods of rectifying the wrong. The House is perfectly well aware of the fact that it has made certain laws that have been the cause of trouble amongst the Maoris. I could not assure the House that the Maoris would consent to their names being placed on the roll. It depends a great deal on the conditions that are embodied in the Bill. It is well known that the Maoris are very strong in upholding any law, and are strong in going against them. Now, the Maoris are all under one authority—one rule. They have been under that rule for thirty years. Still, there are some of them who have thrown off that yoke. I ap-

Captain Russell

peal to the House to carefully consider this measure. When measures affecting the Europeans are brought forward, we vote for them if we think they are right. Therefore the European members should assist us in this matter. The honorable member for Napier (Captain Russell) said it was the fault of the Maori himself if he did not allow his name to be placed on the roll. The Maoris would not refuse to have their names placed on the roll if they are allowed to do so on clear grounds, because there are already Maoris on the electoral roll, and they exercise the vote. In the exercise of that vote the Maoris have succeeded in returning European members to this House, and those members, now they are here, turn against the principles affecting the Maoris. I think the European members of the present Parliament who have been returned by the Maori vote should carefully consider their (the Maoris') interests. The honorable gentleman made another remark to the effect that if the Maori members were increased in this House they could carry everything. I think the Maoris have acted very fairly to both sides of the House. If they have committed any error or conducted themselves in a foolish manner, the honorable member might have some complaint to make against them. They came here to look after certain matters, and those matters absorb their attention. I hope the Bill will be withdrawn, and brought on again in six months, so as to give time to have it circulated among the Maori people, and allow them to understand it. We are quite able to deal with the matter now, and settle it; but when we return to our constituents they will say we had no right to decide a matter of such great importance without consulting them or giving them an opportunity to look into it. That is why I ask the Government to keep the Bill back for six months.

Mr. TOMOANA.—I was pleased to hear the Native Minister say that the Government were not thoroughly settled in their own minds about this Bill before introducing it. I agree with him in those words. That is why I stand up to give expression to my feelings. Both of the matters which have been under discussion this evening are very important indeed: in fact, the other that I am alluding to was discussed the other night. The more important of the two is this Bill, which entertains the question of increasing the Maori representation. But the things I refer to are the portions of the Bill which propose to take away from the Maori his vote for European members, and to increase the number of Maori members. I have no objection to the Bill as it deals with the question of the Maori vote. It has been my opinion that the Bill should be passed if it be a good and sound one. With regard to increased representation for the Maoris, there is one thing which I fear in my mind. I am afraid of that part which says that every Maori must be registered. It will not be until all the names are registered that we shall be able to ascertain the number of Maori members there are to be in the House. That is not clear in my mind, as it must be plain to all of you that the Maori population is decreasing. I am not raising any

strong objection to this Bill, but I am afraid, with regard to the part of it which I am now quoting, that the consequence will be that we shall only have one member for the whole of New Zealand in this House. That is why I ask that there should be a Bill passed into law, containing only that which is good for the Maori. If it were introduced into the Bill that there should be increased representation for the Maoris, and if the vote were allowed to be the same as is now exercised, I should feel very glad indeed; but if it is to be left like this, that every Maori who is qualified to vote is to be first registered, and then, when the total number is made up, you are to decide the number of members we are to have, I shall feel very great grief indeed. Another thing I would like to have inserted in this Bill is this: that the Maori members in this House should be increased by six. There should be eight members for this Island, and two for the other. When that is agreed to be done, our principal work would be to cut up the Island into several electoral districts; but such divisions should be made by the Maori tribes. If we (the House) were to do it, the thing might not be done properly; because, although many tribes in this Island are on friendly terms with one another, it is not the case throughout the colony. Often in districts where two tribes are living they are at enmity with each other. If it were allowed for the Maori people to make those divisions of the Island into electoral districts, they would know best which tribes were living on friendly terms with each other, and which, perhaps, were not, and could make the divisions so as to include, as nearly as possible, tribes that could work well together. I consider the Government should agree to what I am now asking for. I am not asking for this to obtain any benefit for myself alone; it will also be for your good. The Maori people will not thank me if those conditions are submitted to them, but they will thank the Government for having such kind regard for the Maori race. The whole Island would feel glad if the course followed should be such as I suggest. But if it is decided on the grounds of registration, as I have been talking about, they will be very much dissatisfied indeed. That is why I approve of the words of the Native Minister when he said that this Bill was brought down to the House to be open to discussion and alteration. Now, with regard to what some of the first speakers talked about, that the Maoris should not vote for European members, we do not derive any special benefit from that vote. It is the Europeans who have the advantage of it: in fact, it is for their good and not for ours. We exercise our votes in these matters according to what we think is right. When we see one side is wrong we go to that side which is right. On these very same grounds I am under the impression that it would also be right for the Europeans to vote for Maori members. Speaking of myself, I am a man who lives in the town, and the whole of my people live about the town, and it would be perfectly proper for Europeans to vote for Maori members. In a small place like Napier there are seven European members. Taking the

District of Wairarapa, there are three members for that place. In all towns it is the same thing with regard to members. I am in favour of this Bill; but I would like to have taken out of it that clause which states that Maoris are to get increased representation in proportion to the number placed upon the electoral roll. It is a new Government that is now in office, and, being a new Government, I should think the proper course for them to take is to lighten, as much as they can, measures of this kind upon the Maori people, because, if you do increase the number of the Maori members, there will be no trouble to fear from it. I think the Government should place a great measure of this kind in such a manner before the Maori people as to lead them to believe that we are doing good for them, or the words of the honorable member for the Northern Maori District may come true—trouble may arise. I will not use the words of the honorable gentleman with regard to my district. I will say that there no such trouble will arise. The whole of my district will go according to the law. We will always urge that which is good for the Maori people. In this House you have for some time managed Native affairs, and all along the Maoris have been crying out for something good—for something to protect their rights. The only treasure the Natives have is the land. That is why I say, let this Bill be carefully made. Most of the Maoris' land has gone from them: there is hardly any of it left in their possession. Therefore, I say, give effect to this matter, which says that they shall have increased representation, that we may both prosper. If you do not make good laws the Maori people will suffer. You will have an opportunity hereafter of witnessing my words coming true. I shall ask the Government to take out of this Bill that part which speaks of an electoral roll, and to give the Maoris increased representation pure and simple. If the provision about the registration of electors is taken out of the Bill I shall vote for it; but when that is done let the Maori members be elected for the forthcoming session. There is no cause for any delay. Now, about the distribution of these members: I say, let there be three, including myself, for my district; let there be two new members for the Western Maori District, one new member for the Northern Maori District, one for the Rarawa, and one for the Southern Maori District. That is the way I should distribute them.

Mr. MURRAY.—I think we have had a good illustration in the debate this evening of "so many men, so many minds." We have had many opinions expressed by the various speakers, but I do not think this Bill meets the views of most of those speakers. My own opinion is, that we do not require this Bill at all. The Qualification of Electors Bill might be so altered as to meet the views of the House, and have one law suitable for both Europeans and Maoris. I therefore hope the House will agree to the motion of the honorable member for New Plymouth that this debate be adjourned, to enable us to go on this evening with the Qualification of Electors Bill. I have prepared a clause for insertion in that Bill which I think would meet the requirements both of the

Europeans and of the Maoris. The clause which I would propose is to this effect:—

“Every male Maori of the age of twenty-one years and upwards, whose name is enrolled upon a ratepayers’ roll in force within the electoral district in respect of which he claims to vote, is entitled to be registered as an elector and to vote at the elections of members for such districts for the House of Representatives; but no such Maori shall be entitled to be registered as an elector, or to vote at any such election, in respect of any other qualification under this Act.”

By that means you would leave the Maoris with the qualification they at present possess. I think that will meet the views of the Maori people. I have always regarded the special Maori franchise as only a tentative measure—that Maoris and Europeans would ultimately have the same electoral franchises. At the same time, in justice to the European people, it would be unfair to give special privileges to the Maoris which are not enjoyed by the Europeans, as would be done if we extended the Maori franchise so as to give the Maoris eight or nine members in this House. It would keep up a special system of voting which would tend to perpetuate differences between the two races. We should try to assimilate the Maori race with our own by education, by training them in the usages of our constitutional law, and by conferring upon them the same privileges and the same duties and responsibilities as appertain to the Europeans—endeavour to arrive at a point when we shall have Maori members forgetting their tribal distinctions and differences, appreciating their position as citizens and senators, and making use of the language of the great Empire of which they now form part. I trust that the House will support the amendment of the honorable member for New Plymouth.

Mr. THOMSON.—Although I shall vote for most of the Electoral Bills brought down by the Government, I am sorry to say that I shall not be able to vote for this one. I say so in no party spirit whatever. Supposing this Bill were brought down by the party with which I usually work, I should feel bound to oppose it. There have been a good many arguments used for and against the Bill, but it appears to me that there are some things that have been left unsaid. One argument that might be used for keeping things as they are is this: that the Maoris are now acquainted, or at all events are becoming acquainted, with their present electoral position. It is a great matter even to Europeans to know the working of the Acts in which they are interested. Unless there is a good reason for altering an Act such as a Road Board Act, it is desirable that it should not be altered, because the district gets acquainted with the working of the system, and that, I think, is something. We have been told, for instance, that some Natives have actually individualized their titles merely in order to get on the European roll, and qualify themselves to vote for European members. Now, that is something which we should not forget. Then, again, I am very doubtful whether, supposing this Bill were to pass, it would be in the interests of

the Natives themselves. It has been said that there are some eight or nine gentlemen in this House who were returned principally by Native votes. It is only reasonable to suppose that those honorable gentlemen take a great interest in Native affairs—at all events, a greater interest than they would do if they were returned simply by European votes. Those gentlemen speak our language, they are of our own race, and can use more influence with other members of the House in regard to Native matters than the Maori members themselves. If the Maori members of this House were elected simply by the Maori votes, and if there were no other representation, the Maoris would have to fight their battles in a great measure alone in the House. Then, again, I do not think the evils of what is called class legislation have been so well brought out as they might have been. The Native members are here to represent the Natives and the Natives alone. We know well enough that it is very difficult for ourselves sometimes to realize our true position here. We are inclined to take too much of a local view of matters—to look at them from the view of the place we come from. It is very difficult to think of ourselves not merely as members for Clutha, or for Wellington, or whatever place it may be, but as members of the Parliament of New Zealand. That is what the Native members should aim at; and I must say that, while I have usually supported those honorable gentlemen in their measures, I do not think they rise to their true position—they do not consider themselves so much members of the Parliament of New Zealand, as members sent here in the interests of the Natives. That is what we are endeavouring, apparently, to perpetuate in this House. I think it is desirable to look forward to the time when there will be no special representation in this House. I do not think this Bill has been well considered; but perhaps that is partly due to the short time the Government have had to consider it. It is astonishing, in fact, that these Bills are so good as they are, for the Attorney-General arrived here, I think, on a Saturday, and the Bills were drafted, printed, and circulated by the following Tuesday. However, I hope the Government will think better of the matter; and perhaps the best thing to do is to leave well alone.

Mr. HALL.—I will not detain the House at this late hour, and will only say the Government think the best course, under the circumstances, will be to adopt the motion of the honorable member for New Plymouth to adjourn the debate. After the expression of opinion on both sides of the House, it is probable that, in the discussion on the Qualification of Electors Bill, we may arrive at some more satisfactory conclusion on this question than we should if we now proceeded with this Bill.

Debate adjourned.

TRIENNIAL PARLIAMENTS BILL.

On the motion for going into Committee on this Bill.

Mr. THOMSON said,—I may state that I intended to make a few remarks upon this Bill

Mr. Murray

upon the occasion of the second reading; but, as I found that my views were to some extent different from the views of all the honorable gentlemen who had spoken, I thought that really I must be wrong in some of my opinions, and that I should take a little more time for consideration. I shall vote for your leaving the chair, Sir, to go into Committee on this Bill. The franchise has all along been very liberal in New Zealand, so liberal that almost every person, especially in the country districts, is either on the roll, or can be put on the roll. It is more than likely that this Bill will put a good many people who are in towns on the electoral roll who should not be upon it; and I may say that I consider it will also put on the rolls many young men in lodgings, and others who give attention to public matters; and therefore that any injury which the Bill may do in one direction will be fully compensated for by the good it will do in the other. Therefore I support the general principle of the Bill. I also intend to support the property qualification. It may be asked of me why, if I support the manhood qualification, I should also support the freehold qualification, as the one may be said to include the other. We in New Zealand have been accustomed to this freehold qualification, and I think that many settlers in the country districts would not be well pleased if it were done away with. There is an indistinctness in regard to the residence qualification. I cannot conceive how any person is entitled to vote in an electoral district unless he has an interest in the district either by having property in it or by residing in it; and therefore it would appear that some action must be taken each year to ascertain whether those who are on the roll simply on account of residence qualification are really resident in the district. I do not see why a person who has property in a district should not be able to go from home, even to England and back again, and still find himself on the electoral roll. I think this property qualification might be an inducement to some persons to acquire property; and I think we should hold out every inducement to persons to settle on the land. Our towns are already too large; we have too many people living in our towns; and if we can hold out inducements to people to obtain small farms or pieces of ground on which to erect houses with large gardens, it is our duty to do it. As to plural voting, I intend to oppose that. I cannot understand the ground on which this can be supported. I do not look upon property as a ground of qualification. I do not believe property is a fair ground to entitle any one to a vote. It is simply a test of fitness: I do not consider it a very adequate or a very satisfactory test, but still it is a test to some extent. I have seen the matter put in this way: that the possession of property is a test, to a certain extent, of mental capacity, because it shows that a man has exercised a certain amount of industry and perseverance in order to obtain property, and it is an indication, to some extent, of intelligence, because it takes a certain amount of intelligence to acquire property and afterwards to retain it. I also think it is desir-

able that every district should have only one member. I think that in such cities as Christchurch and Dunedin there should be three electoral districts. I need not give my reasons, especially as I see that the House is restless. I also think it would be a good thing to have all the elections on the same day, in the case of a general election. I think that the fact of the whole people being engaged on a certain day in choosing their representatives would have a good effect on the public mind.

Mr. REEVES.—I agree entirely with the honorable member for Clutha that it is highly necessary each district should be represented by only one member, and, in proof of that, I might instance the constituency which I have the honor of representing, and which has two members. That constituency extends twenty miles in one direction and from forty to forty-five miles in another, and consequently the task of canvassing the district comes very heavily on the candidates. I also agree with the honorable member in the matter of the dual vote. There are two or three members sitting in this House now who owe their election simply to the fact that steamboats were chartered to carry voters from one constituency to another. There is one honorable gentleman who owes his election simply to the fact that he chartered a steamer in Wellington to carry voters who held small sections in his constituency to vote for him, and I know that the honorable member for Collingwood would not have been in the House were it not that one or two steamers took persons over from Nelson to vote for him. Therefore I shall support any measure brought in for the purpose of doing away with the dual vote and of giving us manhood suffrage pure and simple, so that every man who contributes to the revenue shall have a vote in respect of his manhood. I think the idea of having the voting all on one day is a very good one, and I trusted to see some measure brought in by the Government to do away with what I believed to be the cause of the large amount of corruption which has taken place heretofore at elections. I shall do my utmost to have effect given to these views.

The House went into Committee on the Bill.

Clause 3.—House of Representatives to continue for three years.

Mr. DE LAUTOUR moved, That the Chairman report progress.

Question put, "That the Chairman report progress;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	43
Majority against	...	...	...	...	27

AYES.

Mr. Dick,	Major To Wheoro,
Mr. George,	Mr. Thomson,
Major Harris,	Mr. Tole,
Mr. Ireland,	Mr. Turnbull,
Mr. London,	Mr. Whitaker.
Mr. Macandrew,	
Mr. Montgomery,	<i>Tellers.</i>
Mr. Moss,	Mr. Ballance,
Mr. Tawhai,	Mr. De Lautour.

NOES.

Mr. Acton Adams,	Mr. Pitt,
Mr. Allwright,	Mr. Reeves,
Mr. Andrews,	Mr. Richardson,
Mr. Bain,	Mr. Rolleston,
Mr. Beetham,	Captain Russell,
Captain Colbeck,	Mr. Saunders,
Mr. Finn,	Mr. Seddon,
Mr. J. T. Fisher,	Mr. Shanks,
Mr. Fulton,	Mr. Sheehan,
Mr. Gibbs,	Mr. Shephard,
Mr. Gisborne,	Mr. Speight,
Mr. Hall,	Mr. Stevens,
Mr. H. Hirst,	Mr. Studholme,
Mr. Hislop,	Mr. Sutton,
Mr. W. J. Hurst,	Mr. Swanson,
Mr. Johnston,	Mr. Tainui,
Mr. Levin,	Mr. Tomoana,
Mr. McCaughan,	Mr. Whyte,
Mr. McDonald,	Mr. Wright.
Mr. McLean,	<i>Tellers.</i>
Mr. Murray,	Mr. Moorhouse,
Mr. Oliver,	Colonel Trimble.

The motion was consequently negatived.

Mr. SHEPARD moved the omission of the latter lines of the clause, with a view to inserting the following words: "The present House of Representatives shall, unless the General Assembly be sooner dissolved, continue to the twenty-eighth day of February, one thousand eight hundred and eighty-three, and no longer. Every future House of Representatives shall, unless the General Assembly be sooner dissolved, continue for a period of three years, to be computed from the day fixed for the return of the writs issued for choosing such House, and no longer."

Mr. THOMSON moved, as an amendment to the amendment, That the words "one thousand eight hundred and eighty-three" be omitted, with a view to insert the words "one thousand eight hundred and eighty-two."

Question put, "That the words proposed to be omitted stand part of the amendment;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	34
Majority against ...	...	...	...	...	8

AYES.

Mr. Bain,	Mr. Murray,
Mr. Beetham,	Mr. Reeves,
Mr. Brandon,	Mr. Saunders,
Captain Colbeck,	Mr. Studholme,
Mr. Finn,	Mr. Swanson,
Mr. Fulton,	Mr. Tainui,
Mr. Gibbs,	Mr. Tawhai,
Mr. H. Hirst,	Major Te Wheoro,
Mr. W. J. Hurst,	Mr. Tomoana,
Mr. London,	Mr. Whyte.
Mr. McCaughan,	<i>Tellers.</i>
Mr. McDonald,	Mr. Seddon,
Mr. McLean,	Mr. Shephard.
Mr. Moorhouse,	

Mr. De Lautour

NOES.

Mr. Acton Adams,	Mr. Oliver,
Mr. Allwright,	Mr. Pitt,
Mr. Andrews,	Mr. Richardson,
Mr. Ballance,	Mr. Rolleston,
Mr. Dick,	Captain Russell,
Mr. J. T. Fisher,	Mr. Shanks,
Mr. George,	Mr. Sheehan,
Mr. Gisborne,	Mr. Speight,
Mr. Hall,	Mr. Stevens,
Mr. Hamlin,	Mr. Thomson,
Major Harris,	Mr. Tole,
Mr. Hislop,	Colonel Trimble,
Mr. Ireland,	Mr. Turnbull,
Mr. Johnston,	Mr. Wright.
Mr. Levin,	
Mr. Macandrew,	<i>Tellers.</i>
Mr. Montgomery,	Mr. De Lautour,
Mr. Moss,	Mr. Whitaker.

The words were consequently struck out, and "one thousand eight hundred and eighty-two" inserted in lieu thereof.

Mr. MURRAY moved the addition of the following words to the amendment: "unless Parliament be then in session, in which case Parliament may be dissolved on the day after the prorogation thereof."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	29
Majority against ...	...	...	...	...	3

AYES.

Mr. Bain,	Mr. Sheehan,
Captain Colbeck,	Mr. Speight,
Mr. Dick,	Mr. Stevens,
Mr. George,	Mr. Studholme,
Major Harris,	Mr. Swanson,
Mr. Hislop,	Mr. Tainui,
Mr. Levin,	Mr. Tawhai,
Mr. McCaughan,	Major Te Wheoro,
Mr. McDonald,	Mr. Thomson,
Mr. McLean,	Mr. Wright.
Mr. Reeves,	<i>Tellers.</i>
Captain Russell,	Mr. Moss,
Mr. Seddon,	Mr. Murray.
Mr. Shanks,	

NOES.

Mr. Acton Adams,	Mr. Macandrew,
Mr. Allwright,	Mr. Montgomery,
Mr. Andrews,	Mr. Moorhouse,
Mr. Ballance,	Mr. Oliver,
Mr. Beetham,	Mr. Pitt,
Mr. Finn,	Mr. Richardson,
Mr. J. T. Fisher,	Mr. Rolleston,
Mr. Fulton,	Mr. Saunders,
Mr. Gisborne,	Mr. Shephard,
Mr. Hall,	Mr. Tole,
Mr. Hamlin,	Colonel Trimble,
Mr. W. J. Hurst,	Mr. Turnbull.
Mr. Ireland,	<i>Tellers.</i>
Mr. Johnston,	Mr. De Lautour,
Mr. London,	Mr. Whitaker.

The additional amendment was consequently negatived, and the clause as amended agreed to.
Bill reported with amendments.

The House adjourned at a quarter past one o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 5th November, 1879.

Third Readings — Supreme Court Practice — Maori Prisoners — Local Bills — Wellington-Foxton Railway—Hawke's Bay and Marlborough Rivers Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

THIRD READINGS.

Leases and Sales of Settled Estates Bill, Gaming and Lotteries Bill.

SUPREME COURT PRACTICE.

The Hon. Mr. P. A. BUCKLEY asked the Hon. the Attorney-General, If it is the intention of the Government to introduce, during the present session of Parliament, any enactment for the purpose of simplifying the practice and procedure of the Supreme Court of New Zealand? He need scarcely apologize for occupying a few moments of the Council's time in reference to a matter of such importance. For a number of years the public Press throughout the colony had been commenting upon the extraordinary expenditure required to conduct litigation in the Supreme Court. He believed the Judges of the colony had been considering the advisability of simplifying the procedure; and the matter was of such importance to every member of the community that he felt sure a Liberal Government would have no hesitation in introducing a measure which would have for its object the simplification of the procedure of the Court.

The Hon. Mr. WHITAKER said this subject was now under the consideration of the Judges of the Supreme Court, who had made very considerable advance in preparing rules, founded on the English Judicature Acts, with the view of simplifying the proceedings and reducing the expense. Those rules could, he believed, be made under the law at present in existence, and it was not the intention of the Government to bring in any Bill this session for the purpose indicated by the honorable gentleman.

MAORI PRISONERS.

The Hon. Mr. P. A. BUCKLEY asked the Hon. the Attorney-General, By what right or authority certain aboriginal natives of this colony, now imprisoned in some part of the City of Wellington, are detained in custody; and, if lawfully detained, when is it proposed that the trial of such Natives shall take place? During last session an Act was passed entitled the Maori Prisoners Trials Act. He understood that a certain number of aboriginal natives on the west coast of the North Island were for some alleged

crimes imprisoned in some place in the City of Wellington—he was not aware whether it was a prison or not, but he supposed it was. However, they were detained in custody at present. It was intended, when this Act was passed, that they should be tried. It was distinctly understood that their trial should take place within a period mentioned in the Statute. On referring to the 4th section of the Act, he found these words: "This Act shall remain in force until thirty days after the commencement of the next session of Parliament, and no longer."

The Hon. the SPEAKER said the honorable gentleman must be careful not to introduce debatable matter.

The Hon. Mr. P. A. BUCKLEY was merely calling the attention of the Attorney-General to what might probably have escaped his memory, and was about to point out that the thirty days mentioned in the Act of last session had now expired.

The Hon. Mr. WHITAKER said that the prisoners now in the Wellington Gaol had been committed in due course of law. Their trial would have come off prior to this, but it was postponed at the request of their legal advisers. The Act had expired, and therefore nothing could be done under it; but, in due course of law, they would be tried at the next sittings of the Court, unless, of course, anything should happen in the meantime to prevent it.

LOCAL BILLS.

The Hon. Captain BAILLIE moved, That the Standing Orders relative to local Bills be amended—(1) by omitting all the words after "purposes," in line 5, section 1, to the end of the section; (2) by adding the following paragraph, to stand as section 6: "All Harbour Board Bills shall be similarly referred to a Standing Committee, to be called the Harbour Bills Committee."

The Hon. Captain FRASER, referring to the second part of the motion, thought it would be better, in order to prevent these questions becoming too much entangled, to refer the motion back to the Standing Orders Committee.

The Hon. Mr. MANTELL suggested that the debate should be adjourned, pending the discussion on other proposed amendments in section 1 of the Standing Orders.

Debate adjourned.

WELLINGTON-FOXTON RAILWAY.

The Hon. Colonel WHITMORE, in moving the motion standing in his name, said it explained itself. It had been notified in the public prints that a tender for the first section of the Wellington-Foxton Railway, including the harbour reclamation, had been accepted within the last few days; and that rumour had been to a certain degree confirmed by the fact that the newspaper which usually contained Government announcements in Wellington stated that both the successful tenderer himself and the Under Secretary for Public Works had so informed them. Therefore he might fairly say that a *prima facie* case was made out for supposing that the tender had been

accepted; but it was quite possible that there might be some mistake. Should it, however, prove to be the case, the Attorney-General was no doubt aware that within the last few days the Railways Committee of the Council had been furnished with a legal opinion from himself and from the Solicitor-General, in which it was specially stated that no works of this kind could be undertaken without certain formalities which it was practically impossible could have been observed in this case. That was his justification for troubling the Council with this matter, and he should be anxious to hear from the honorable gentleman whether there was an explanation which reconciled this apparent discrepancy.

Motion made, and question proposed, "That it is desirable that this Council should be informed whether it is true that a tender for £66,000 has been accepted for a section of the Wellington-Foxton Railway; and, if so, whether the Government, after a recent opinion of the Hon. the Attorney-General, is advised that such a contract is legal, and binding on the colony."—(*Hon. Colonel Whitmore.*)

The Hon. Mr. WHITAKER thought he had better answer the question at once instead of letting it stand over. The answer would be a very simple one. The question was, "Is it true that a tender for £66,000 has been accepted for a section of the Wellington-Foxton Railway?" It was not true.

Motion, by leave, withdrawn.

HAWKE'S BAY AND MARLBOROUGH RIVERS BILL.

ADJOURNED DEBATE.

The Hon. the SPEAKER said he had promised to look into this Bill to see whether, in his opinion, it was a local Bill or not. He thought it was a local Bill. It proposed to amend "The Hawke's Bay and Marlborough Rivers Act, 1863;" and that Act, amongst other things, declared,—

"It shall be lawful for the Superintendent and Provincial Council of any province in the colony, by any Act or Ordinance in that behalf, to bring this Act into operation within such province; and thereupon this Act shall come into operation in such province in like manner to all intents and purposes as if the name of such province had been inserted therein in lieu of the Provinces of Hawke's Bay and Marlborough."

It seemed to have been a kind of model Act that might, by local legislation, be made applicable to particular localities. This Bill therefore, in his opinion, undoubtedly came within the meaning of their definition of a local Bill, and affected local interests. If he was wrong in that decision, at any rate the question would come before the Local Bills Committee and be reconsidered there. In the meantime the Bill would stand referred to the Local Bills Committee.

The Council adjourned at ten minutes to four o'clock p.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 5th November, 1879.

First Readings—Second Readings—Third Readings—Native Affairs Committee: Summoning Witness in Custody—Wellington-Foxton Railway—Canterbury Local Bodies—Tapanui Railway—Railway Returns—Waikato Surveys—Railway Tickets—Invercargill Gaol—Otautau-Nightcaps Railway—Native Leases—Seaward Bush Railway—Press Telegraph Wire—Money-Order Offices—Middle Island Branch Railways—Public Trust Funds—Tariff—Railway Construction—Native Reserves Vesting Bill—Auckland College and Grammar School Bill—Christchurch Drill-shed Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Awatere Shearing Reserve Management Bill, Elective Council Bill, Elections Validation Bill, Railways Construction Bill, Murihiku Native Reserves Grants Bill, Onewhero Land Grant Empowering Bill, Rating Bill (No. 2), Leases and Sales of Settled Estates Bill, Gaming and Lotteries Bill.

SECOND READINGS.

Wairarapa Racecourse Bill, Hawke's Bay Rivers Bill.

THIRD READINGS.

Lyttelton Harbour Board Bill, Oamaru Harbour Board Bill, Ashburton County Council Waterworks Bill.

NATIVE AFFAIRS COMMITTEE: SUMMONING WITNESS IN CUSTODY.

The following interim report from the Native Affairs Committee, on the petition of George Davie, was brought up and read:—

"The Native Affairs Committee have the honor to report that the evidence of George Buckland Worgan, now a prisoner in the Wanganui Gaol, is considered essential to enable them to conduct their inquiry; and that the House should be moved to instruct the keeper of the Wanganui Gaol to send the said George Buckland Worgan in safe custody to the said Committee on Wednesday, the 12th day of November instant, at eleven o'clock in the forenoon, in order to his being examined as a witness, and so from time to time as often as his attendance shall be found necessary by the said Committee; and that Mr. Speaker be requested to issue his warrant accordingly."

Mr. HAMLIN moved, That the keeper of the Wanganui Gaol do bring the said George Buckland Worgan, now a prisoner in that gaol, in safe custody to the Native Affairs Committee, on Wednesday, the 12th day of November next, at eleven of the clock, in order to his being examined as a witness, and so from time to time, as often as his attendance shall be found necessary by the said Committee; and that Mr. Speaker do issue his warrant accordingly.

Mr. SPEAKER said this was a matter of considerable importance. He believed it was the first time the House had been asked to order a witness to be brought out of gaol to give evidence before a Committee. He thought it right to

mention that the procedure which is followed in the British House of Commons had been adopted in this case.

Mr. HALL was glad to hear Mr. Speaker say that the motion was in accordance with Imperial precedent; but, as it was obviously a very important one, and the first of the kind that had come before the House, he would suggest that fair notice should be given to the House and to the Government, so that they might inquire into the circumstances of the case, and ascertain whether the motion should or should not be agreed to. At present they were in entire ignorance of the circumstances, and the motion should therefore be postponed until next day.

Colonel TRIMBLE said he had a very strong feeling about the matter. He would call the attention of the House to one or two matters connected with the petition upon which the motion was founded. The petition was presented to the House by a person named Davie, who lived on the East Coast. This person alleged that a member of the House and a person named Worgan had committed two offences. The first charge was one of conspiracy to defraud, and the next was a charge of forging a name to a deed. The two persons charged were Mr. Sutton, a member of the House, and Worgan, who was now in the Wanganui Gaol; and he submitted that it was quite incompetent for any tribunal to call upon two men who were charged with a grave offence—felony, in fact—to come up and give evidence. They were the accused. In one case a summons had been issued, and in the other the House was asked to bring the party before the Committee for the purpose of giving evidence. He thought that if this were allowed by law it would be a perversion of justice. He did not wish to make any special observation upon the matter beyond this: that there was another allegation in the petition with reference to a woman who had been left in charge as a ward of Davie, who had an interest in this matter. The allegation was, that this woman had not the means of taking her suit into an ordinary Court of law. It would seem that the case was brought before a magistrate on the East Coast, Worgan being then under a charge at Wanganui; that the Court refused to bring him up under *habeas corpus*; and that in some way or other the charge was withdrawn, or not proceeded with. As to the woman being unable to go into a Court of law, he thought the House or the Government might interfere and see that she should obtain justice through the ordinary law-courts; but the forms of the House should not be used for the purpose of raking up charges against men, and more particularly upon their own evidence. He submitted that that would be a most unwarrantable proceeding.

Mr. MURRAY thought it would be well that the House should have some more information before it went into the subject. He would therefore move the adjournment of the debate.

Mr. KELLY said that, as far as he could understand, the case was this: that the Native Affairs Committee were endeavouring to get evidence on the part of this petitioner at the expense of the public. That was a course which

the House should not agree to. He knew, with regard to the Public Petitions Committee, that if petitioners required any evidence to be laid before the Committee they had to procure it at their own expense, and not at the expense of the public. The best way, therefore, would be to adjourn the debate, in order that the Government might have an opportunity of inquiring into the justice of the demand, and recommending what should be done.

Mr. HAMLIN might explain that on the previous day a resolution was carried in the Native Affairs Committee, on a division, with one dissentient voice, instructing him to see Mr. Speaker and ascertain what course should be taken with a view of obtaining the evidence of this witness. He had consulted Mr. Speaker, and, in accordance with parliamentary practice in force at Home, Mr. Speaker had directed him to proceed as he had done. If the Government were really anxious to have time to consider the motion, and thought the debate should be adjourned till next day, he had no objection, provided it was taken as the first business of the sitting. The other witnesses would probably be disposed of by Wednesday, when this man's evidence would be taken, so that there should be no delay in the matter.

Mr. HUTCHISON said, if it was a matter of importance that the Government should have time to inquire into this very important question, the discussion might be put off till next sitting-day. He did not quite follow the honorable member for New Plymouth in his statement that this was an attempt to get evidence for a petitioner at the expense of the public. He understood it was an endeavour to get evidence which could not be got except through the Speaker of the House, and not for the purpose of saving expense to the petitioner. He understood that to be the case, and that this course was taken in order that the ends of justice might be satisfied. No Committee of the House could be better occupied than in endeavouring to obtain justice for the poorest subject in the country. Of course the Government were justified in asking for time to consider the matter, but he thought the House would hesitate before refusing to sanction the attendance before a Select Committee of any witness whose evidence might be material to any case; and before the House granted an adjournment members should have the assurance that the Government would take care that the debate should come on again next sitting-day.

Mr. HALL said the honorable gentleman had, without notice, moved a very important resolution—a resolution not only important in itself, but important as a precedent. Upon that, the Government said—and, he thought, with the full concurrence of both sides of the House—that further time should be given for consideration. The Government thought it wrong to bring such a matter on without notice, and therefore they thought it was right there should be an adjournment without any condition whatever. He did not at all say that when the Government had had an opportunity of inquiring into the matter they would not agree that it should be considered

at the earliest possible period; but they did not feel called upon, nor justified, in entering into any conditions to induce an honorable gentleman to forego a course which they thought wrong. The Government would agree to the adjournment of the debate until next sitting-day, and then, if they considered that the resolution was of sufficient importance to require it to be brought on at an early hour, they would agree to a proposal to that effect. He did not think he could be expected to go further than that.

Sir G. GREY thought there was a considerable misunderstanding upon this subject. He could not see that the subject brought before the House was of such very great importance. It was quite certain that if this witness had not been in gaol the Committee could have summoned him without coming to the House at all. It was the mere fact of his being in gaol that rendered an appeal to the House necessary. He did not think that the Government had a right to try the question whether this witness should be summoned or not: that was a matter which should rest with the Committee. All the House had to do in order to secure the ends of justice was to act as a Ministerial body in giving effect to the wishes of the Committee. That was the law of the case, or, if it was not, it ought to be. The next point he took was, that the House was told petitioners should bear the expense of producing their witnesses. He contended that if the Native inhabitants of this country, in a state of great poverty as many of them were, appealed to the House for justice, and the House referred their case to a Committee for investigation, that Committee ought to have power to pay the expenses of any witnesses whose attendance was necessary in order that justice should be done. It was alleged by one honorable gentleman that this petition impugned the character of an honorable member of the House. The House had nothing to do with that. Where justice was cried for by a person who complained of gross wrong and oppression, the House ought not to consider whether the person complained against was a member of the House or not. In fact, it should all the more resolutely determine that justice should be done in such a case, and say that, if there was any person who should sooner purge himself of suspicion than another, it should be a member of the House. He was quite sure the honorable gentleman affected in this case would take that view himself, and insist upon purging his character. He hoped no delay would take place in the matter. The session might be very short, and any delay might lead to nothing being done. He trusted the Premier would rise to what was due to the Natives in such matters, and would insist upon this witness being produced as if he were not in gaol, so that the ends of justice might be attained without delay.

Mr. ROLLESTON said the Government had no desire or intention of acting otherwise than in conformity with the wishes of the House in this matter. The position was this: A Committee having asked the House to give a decision, the House should be placed in possession of information to enable it to decide correctly and consti-

tutionally. The Government, and particularly that department of it with which the matter was more particularly concerned, was looked to to supply that information. Now, what did the Department of Justice know about this matter? They knew nothing whatever about it. It had never come under his notice until now brought before this House. That was the position of the Government in this case; and, considering that an important precedent was involved, it was only right the Government should say, "We are unable to guide the House now, and we must take time to consider the matter. When a grave question affecting the Department of Justice is brought before the House, some expression of opinion with regard to it ought to be given by the Government. We are not in a position to give that opinion now; and we only ask for time to enable us to do so." That, as he understood it, was the whole burden of the case now; and to introduce piecemeal indications of the merits of the case was beside the question. He did not even know at present whether it was a European question or a Maori question.

Mr. DE LAUTOUR did not think the Government should know anything of the case until the Committee reported upon it. A Committee was appointed to inquire into all such cases, and that Committee, in carrying out its inquiries, alleged that certain evidence was necessary. One of the witnesses required was in gaol, and the Committee could not command his attendance. They therefore came to the House, and asked it to empower the Speaker to issue his warrant compelling his attendance. To say that before that could be done it was necessary to know the merits of the case was absurd. The case was in the hands of the Committee, and, if the House was now to raise any question upon it before the case was gone into, when the evidence was not complete, and when one necessary link was wanting, he would like to know what effect that would have on the petitioner. That would be to ask the House to prejudge the question. The simple fact was, that this witness, whom the Committee thought necessary, was in gaol, and could not be produced until the Speaker issued his warrant. The fact of his being in gaol did not at all prove that the Committee was in error in asking for his evidence. This was the main link in the evidence; and, if Mr. Speaker's authority for its production were not given, the petitioner would be very injuriously treated. The Natives were told that we desired to place them in the same position as ourselves in regard to the law, and to extend to them the possession of all the powers it gave; and what was the state of the law in this case? The petitioner asked for the production of this witness by *habeas corpus*, that he might be called to answer a charge in Court. The Judge refused to grant the application. There was a reason in it. At that time Worgan was awaiting trial for forgery at Wanganui; and it was contended that, if he were called upon to appear in answer to that application a few weeks before the trial came on at Wanganui, it might impair the defence which he could otherwise make. That was one

Mr. Hall

view which the Judge acted upon in refusing the application; but the effect remained on the Native mind that the Courts of law refused to produce a witness who could testify to wrong done to them. If the House accepted the suggestion of the Government, and refused to produce a witness whose evidence was absolutely necessary, what would the Natives think when they were told that the laws were equal, and that they should go to the law-courts? He did not take it that the Government meant to burke the evidence of the witness; but they said this was a most important precedent. There was no new precedent in it. Over and over again men detained in gaol had been brought up by order of the representative House. If the matter were adjourned, it would become an Order of the day, and would go down on the Order Paper. He doubted whether the Committee would be able to bring it up again, except by consent, to enable the evidence to be taken at the proper time. The Committee had a perfect right to ask the House to order the attendance of a witness. The fact of his being in gaol made not the least difference in the case. He trusted the House would order the evidence to be obtained, and not allow a debate on the question in the House before it was tried.

Mr. TOLE did not think any adjournment should be allowed. If they took such a course they would simply check investigation upon all petitions brought before the House. He understood this witness was not required simply upon the motion of the petitioner, but was required to be brought up on the order of the Committee. The Committee was substantially the House, and no Committee of the House should be made subordinate to any department of Government. That Committee was above the Department of Justice, or any other department of the Government. Therefore this witness should be brought up. He was no more than any other witness, the exceptional circumstance simply being that he was in gaol. They had merely to go through the form of getting Mr. Speaker's warrant, by order of the House, to bring up the witness; otherwise justice would not be done.

Major ATKINSON said that if there were no exceptional circumstances in the case, as honorable gentlemen would persuade the House, it was clear the Committee would issue its warrant to have the witness brought up. Representative bodies all over the world had to guard themselves not to extend power to Committees to demand the presence of prisoners except by the interposition of the House. He thought himself that that was a very wise rule on the part of the House. They were, as a House, asked to take upon themselves the responsibility of saying whether this witness was to be brought up or not. The Committee might very well have given the House some reason for the production of the witness. The whole question of the power of Committees to summon witnesses at the public expense required revision. He doubted very much whether any Committee should possess that power. In the matter of printing they had to stop the authority of Committees on account of the large and useless expenditure of public

money. It was time they should also consider whether or not it was advisable to restrict the power of any Committee to summon witnesses from all parts of the colony at the public expense without the direct authority of the House. He did not know what authority the honorable member for the Thames or the honorable member for Mount Ida had in assuming as they did—although they put it in a guarded way—that the Government desired to burke this question. The Government had no feeling whatever except to lead the House in the right course. His honorable friend at the head of the Government was perfectly willing to give every facility for this matter to come on on the following day, if honorable members consented; but it was unreasonable to ask that the House, having reserved this power of summoning witnesses, should be hurried into summoning this witness without having any time. He trusted the House would support the Government in demanding that it should be adjourned. He would not object to its coming on the first thing to-morrow, if that could be managed, in order that they might properly consider it. He thought it would be the duty of the Government to call the attention of the House to this question of witnesses being summoned by Committees at the public expense. He had himself seen Committees used for the purpose, not of justice, but of obtaining evidence which petitioners did not care to go to the expense or risk of obtaining in the ordinary Courts of law. When it was said that the highest function of the House was to do justice to all Her Majesty's subjects, everybody would agree with such a common platitude; but they must bear in mind that it had been considered wise by all Legislatures to devolve upon the ordinary Courts of law the decision of particular matters, and that it was considered inadvisable for the Legislature to interfere in such matters as the ordinary Courts of law could dispose of. They must always bear that in mind, and not allow their Committees to be used for matters which the ordinary Courts of law could dispose of, or to be made a convenience of for the purpose of getting at evidence on which to found future proceedings in the Courts of law.

Mr. MONTGOMERY understood the Premier to say that the Government would consider whether this was of sufficient importance or not. If the honorable gentleman said so, he was very much in error; because surely it was not the part of the Government to consider whether the case was of sufficient importance to warrant the production of this witness. It was for the Committee to consider that. If the Government only wished to see if there were precedents for this motion, he could understand the request for adjournment; but to ask time in order that the Government might consider whether the matter was of sufficient importance to warrant the production of this witness, was quite out of the question. If the question were postponed, the House should decide that it would come on the first thing on the following day.

Mr. TURNBULL thought there was a good deal of truth in what fell from the Colonial Treasurer as to the means used by petitioners to

obtain justice; but he confessed that in this instance he felt very strongly. Whatever regulations might be made hereafter was a different matter; but he thought the present action of the Government struck a blow at the very root of Committees. The Committee had decided almost unanimously that it was absolutely necessary to have this witness in order to make the inquiry; but now it was said that they should not have the witness brought up at once. Such action completely stultified the Committee, and it would have the effect of preventing any independent man from joining the Committees. To his mind there was a very much more important matter involved. It appeared that the character of a member of the House was involved, and for the honor of the House itself they were bound to afford every possible facility. It must be known to the Premier that the gaoler could not deliver up a prisoner without proper authority.

Mr. GISBORNE thought this question should be looked at from two aspects. He would like Mr. Speaker to look at the Standing Orders, and rule whether a Committee with power to call for persons and papers had not power through the Chairman to summon witnesses even under detention in prison. Orders 206 and 207 evidently alluded to witnesses being called before the bar of the House, or to Select Committees who had not power to call for persons and papers, and in that case either the Clerk of the House called the witness, or, if the witness was in custody of the keeper of a prison, the Speaker ordered his being brought up. Order 208 said, "A Committee having power to send for persons, papers, and records, summons witnesses by its own orders, signed by the Chairman." If a Committee had power to send for papers and persons, it apparently had power to summon those persons whether they were in gaol or not. That was one view. The other was this: Supposing it was the House that summoned persons at the request of Committees, clearly it was an administrative act of the House. The House would have no knowledge of what was going on in Committee, and had no power to review the proceedings of a Committee until the Committee reported to the House. It would be quite irregular, if a Committee said, "We want to get a witness who is in gaol," for the House to say, "What have you been doing? We must first judge whether the evidence of this witness is necessary." That involved a review of the whole proceedings of the Committee before the proceedings of the Committee were closed. For the Government to interpose and say, "We do not think this witness is necessary; and the Department of Justice is now under our charge," was quite an anomalous course of procedure. The Government were only part of the House. The Committee to which the question had been referred by order of the House was intrusted with the power of calling for persons and papers, and the House had no right, in the middle of the Committee's proceedings, to say, "We don't think this witness is necessary." How could the Committee satisfactorily do its duty, if interrupted in the course of its proceedings by mistaken or party action on the part of this House, before it knew

Mr. Turnbull

the whole course of the proceedings of that Committee, or the object for which evidence was called? If they were to review the whole course of the proceedings of the Committee which was now in progress, it would not be a mere administrative act on the part of this House. The Committee were of opinion that So-and-so should be called, and that the power necessary for that purpose should be formally given. The giving of that power was a formal and administrative act. In that way alone could justice be done; and no Committee with any sense of self-respect would submit to any other course. He would like to know whether the decision of the House was necessary, and, if so, whether it should not be considered necessary as a formal act.

Mr. SPEAKER said there was no power given to the Chairman of a Committee to get a prisoner out of gaol for the purpose of giving evidence, nor was it in the power of the Speaker himself to do so. It could only be done by an order of the House. The Chairman of the Committee had correctly stated that he (Mr. Speaker) had pointed out to him the course adopted at Home, but it had not been his intention to issue any warrant without due premeditation. As this was the first case of the kind that had occurred, he should have taken the opinion of the Law Officers of the Crown on the form of warrant to be used. It would be his duty to take care that no step was taken which should interfere with the operation of the prisoner's sentence; and, in order that there should be no needless clashing with "The Prisons Act, 1873," he would confer with the Government as to whether the power which belonged to the Governor of ordering the removal of a prisoner from one place to another might not be exercised by the removal of the prisoner from the Wanganui to the Wellington Gaol; and if he felt any difficulty in his own mind about it, in hereafter dealing with the subject he would bring the matter again under the consideration of the House.

Colonel TRIMBLE asked the ruling of the Speaker on this point: Was it competent for any Committee of this House to bring before it a person as a witness who was charged with a felony? This person was summoned as a witness to give evidence upon a charge of felony against himself.

Mr. REEVES thought this was a matter which belonged entirely to the Committee. There was no allegation that this man was guilty of felony.

Mr. SPEAKER said the sanction of the House must be obtained before the witness could be taken out of gaol.

Mr. McLEAN said he knew nothing of this matter before he came to this House. When such an important precedent was to be established the Committee should give good reason why it wanted to get this person before it. From what had been said by different members who had spoken, it would appear that the Committee had asked for this to be done. In these Committees hole-and-corner business was done, and he believed it was so in this case.

Mr. SPEAKER did not think the honorable

member was in order in making such an observation regarding any Committee.

Mr. SPEIGHT rose to a point of order. The honorable member should withdraw such an expression.

Mr. SPEAKER said the Committees were intrusted with large powers, and they deserved to be respected and not spoken of in this way. The honorable member should withdraw the observation.

Mr. McLEAN begged to withdraw the expression. The way in which it was taken up was not what he meant. What he meant was this: that, when there was a large Committee of twenty-three members, people who had a case coming on would go and ask certain members to attend the Petitions Committee who were favourable to their petition. Then a recommendation was brought down to this House on the authority of those members present, although only five were present. That was what he meant. He did not wish to impute any motives to members.

Sir G. GREY rose to a point of order. He asked that the honorable member's words might be taken down, in which he stated that certain members were asked to attend. He (Sir G. Grey) knew nothing of that.

Mr. SPEAKER.—Would the honorable member repeat the offensive words?

Sir G. GREY understood the honorable member to say that certain members of the Committee were asked to attend, favourable to the petitioner.

Mr. McLEAN did not say that.

Mr. SPEAKER.—The honorable member has stated that he did not use those words. I did not catch them myself.

Sir G. GREY.—That is what we understood him to say.

Mr. McLEAN was referring to Committees generally. He did not refer to this Committee in particular. It was well known amongst honorable members that this was done. Every member on a Committee knew that they were asked to attend.

Mr. HUTCHISON denied that he knew anything of the kind.

Mr. McLEAN.—Nearly all the members of this Committee had left; only five were left out of a Committee of twenty-two.

Mr. LONDON.—That is not correct: I was present.

Mr. McLEAN.—When a few members left on a Committee came to a decision they should have given some reasons why this person should be summoned, or the reason they had for asking that this person should be summoned. He referred principally to what the honorable member for the Thames had stated. When he spoke of the members of a Committee bringing up a recommendation, he stated that, whatever recommendation the Committee made, the Government were bound to carry it out. He (Mr. McLean) held a completely opposite view. He held that, whatever recommendation any Committee brought down, the Government were bound to look into the case. They were bound to say whether they approved of the recommendation, and give reasons to the House why they should allow the

recommendation to pass, or why it should be rejected. He knew that when he had the honor of a seat in the Government he carefully watched all recommendations of the Committee. He was not afraid to stand up and say so when he objected to them and when he did not. In many cases he was successful in resisting certain claims. The Committee took evidence in this way: They asked what evidence the petitioner had to give. If no one was looking in the opposite direction, it was a one-sided case that came before the Committee. Although the Committee might be right in recommending what they did, if they had the other side of the case before them they would possibly have come to a different determination. Many of these petitioners came before this Committee with a view of getting out evidence which they could not get in a Court of law, in order to help a civil case. He believed there was a writ served in the Supreme Court in this case, and an attempt was being made to bring out evidence before the Committee that could not be got in a Court of law. He thought that was a thing the House should carefully guard against. That was why some good reason should be given for going outside the ordinary course to summon parties before the Committee. This was part and parcel of the Napier cases, of which the House should take some cognizance. They should pass a law to put an end to these cases, and keep them from coming to this House from year to year, where there could be no satisfaction given—cases which should only be settled in a Court of law. If the Government wished time to consider the matter it was only reasonable that they should be allowed time. He was not influenced by any party motives, but he would like to see fair-play shown.

Mr. HISLOP did not know whether the honorable gentleman who had just sat down was giving the House the benefit of his experience as a Minister and a member of the Public Petitions Committee, and was stating the action which that Government took when any petition was brought forward that went against the Government. If so, he was, no doubt, right; but, if he pretended to say that the business was carried out in the same way now that greater regard was paid for constitutional government, he (Mr. Hislop) did not think the honorable gentleman was stating that which was correct. The Colonial Treasurer said that the ex-Premier and the honorable member for Mount Ida were mistaken when they stated that the Government felt strongly on this question and intended to burke it. If there was any evidence needed to show that the Government did feel strongly on the question it was the manner in which the Colonial Treasurer spoke, and the seriousness with which he laid down propositions which ought to be laughed out of the House; and also the almost frantic way in which some honorable members on the Government benches applauded some remarks made by the honorable member for Waikouaiti. He did not know whether the Government intended to have this debate adjourned for the purpose of considering the precedent that Mr. Speaker should call upon any witness required to give evidence who might be in a prison, or

whether it was in order to enable the Government to make inquiries into the case before the Committee had done so. If the Government only intended to consider whether it was a proper precedent to set up that Mr. Speaker should issue a warrant requiring a prisoner to attend as a witness, he would not oppose the adjournment. But, if it was for the purpose of inquiring into the petition and the evidence brought before the Committee, he would oppose the adjournment. He would oppose the motion for adjournment until he heard a statement from the Government as to the reason why they wished it. As to the first matter, he did not think that there was any very serious question being set up, and he did not think it was a matter that required very great consideration to enable the Government to make up their minds. He should have hoped that the Government were aware of the privileges of that House as to the examination of witnesses. The question was raised by the honorable member for Grey and Bell as to what the privilege was with regard to witnesses, and whether witnesses were forced to answer questions which, if answered, and the answers allowed to be used in a Court of law, would criminate them. He (Mr. Hislop) was astonished that an honorable member who had set himself up there as a constitutional historian—one who had on many occasions corrected the younger members of the House—should have been so ignorant of what had taken place within the last half-century with regard to Committees of the House of Commons as not to know that witnesses had in some cases admitted that they had committed murders, and the answers had not been allowed to be used against them. One of the privileges of a Committee was, that it could force a witness to answer a question, whatever the answer might be; and no answer made before the House, or a Committee, in a matter in which such witness was a party, was allowed to be used against a witness in a Court of law. Then, with regard to the matters raised by the honorable member for Wai-kouaiti, the order had already been made by the House that this petition should be inquired into by this Committee; and the question was simply this: Should the House or the Committee resolve as to the means of carrying that out, and decide whether such a person was a proper witness or not? If the House was going to control a Committee of that sort, it was simply taking away its whole powers and usefulness.

Question put, "That the debate be adjourned;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	46
Noes	...	...	...	...	26
Majority for	...	...	...	...	20

AYES.

Mr. Acton Adams,	Mr. Ormond,
Major Atkinson,	Mr. Pitt,
Mr. Bain,	Mr. Pyke,
Mr. Ballance,	Mr. Richardson,
Mr. Beetham,	Mr. Rolleston,
Mr. Bryce,	Captain Russell,

Mr. Hislop

Mr. Bunny,
Captain Colbeck,
Mr. Dick,
Mr. Finn,
Mr. Fulton,
Mr. Gibbs,
Mr. Hall,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Hursthouse,
Mr. Johnston,
Mr. Mason,
Mr. McCaughan,
Mr. McDonald,
Mr. McLean,
Mr. Montgomery,
Mr. Moorhouse,
Mr. Oliver,

Mr. Saunders,
Mr. Seddon,
Mr. Seymour,
Mr. Shanks,
Mr. Stevens,
Mr. Studholme,
Mr. Sutton,
Mr. Swanson,
Colonel Trimble,
Mr. Whitaker,
Mr. Whyte,
Major Willis,
Mr. Reader Wood,
Mr. Wright.

Tellers.

Mr. Kelly,
Mr. Murray.

NOES.

Mr. Allwright,
Mr. Andrews,
Mr. Barron,
Mr. Brown,
Mr. J. T. Fisher,
Mr. Gisborne,
Sir G. Grey,
Mr. Hamlin,
Major Harris,
Mr. Hutchison,
Mr. Ireland,
Mr. London,
Mr. Macandrew,
Mr. Moss,
Mr. Reeves,
Mr. Reid,
Mr. Sheehan,
Mr. Tainui,
Mr. Tawhai,
Major Te Wheoro,
Mr. Tole,
Mr. Tomoana,
Mr. Turnbull,
Dr. Wallis.

Tellers.

Mr. De Lantour,
Mr. George.

The debate was consequently adjourned.

WELLINGTON-FOXTON RAILWAY.

Mr. HALL, before the House proceeded with the business on the Order Paper, wished to make a short statement. Upon an examination which had lately taken place of the legality of the manner in which railway contracts had lately been let, it appeared that many railway works, however desirable, could not at present be let without considerable delay, and probably not without some alteration in the law. With regard to railway works generally, that difficulty would be dealt with in the ordinary course; but there were certain works of a specially pressing character, which would afford employment to a considerable number of working-men who were in distress at the present time, and with regard to which the Government thought that immediate action should be taken at once. This remark applied especially to the contract for reclamation at Pipitea Point, which would become a portion of the Wellington and Foxton Railway, and also to small sections of railway in other parts of the country. The Government would, therefore, at half-past seven o'clock, ask that Supply should be taken first, and would move a resolution which would enable them to accept the tender for the contract he had mentioned, and also to go on with other railway works of a sufficient extent to afford the necessary employment to the unemployed in different parts of the colony. Under the circumstances in which the Government was

placed, he hoped there would be no objection to the course proposed by it.

Mr. GEORGE subsequently asked the Minister for Public Works, Whether it is true, as stated in the *Evening Post* of the 3rd November, that a tender for £66,000 odd has been accepted for the Pipitea reclamation, and part of the Wellington-Foxton Railway?

Mr. OLIVER said that when the Government took office they found that tenders had been called for for the Kaiwarawara section of the Wellington-Foxton Railway. Tenders were received, the lowest of which amounted to £66,669 5s. The Government had every desire to increase legitimate demands for labour, so as to lessen the number of unemployed, and they were anxious to close with the lowest tenderer; but they were still more anxious to keep within the bounds of the law, and they had refused to enter into the contract without the consent of the House, and, as the Premier had stated, authority would be asked for from the House by the Premier that evening. The reply of the Government to the lowest tenderer was as follows:—

“Public Works Office,
“Wellington, 3rd November, 1879.

“SIR,—I am directed to inform you that your tender for the Kaiwarawara contract of the Wellington-Foxton Railway, in terms of the specifications, drawings, and general and special conditions, for the sum of £66,669 5s., is the lowest, and will be accepted by the Minister for Public Works as soon as an appropriation is obtained from Parliament.—I have, &c.,

“JOHN KNOWLES,
“Under Secretary for Public Works.
“J. Saunders, Esq.,
“Contractor, &c., Wellington.”

Mr. HISLOP asked the Minister for Public Works,—(1) If it is true that a contract has been let, involving an expenditure of £66,000 or thereabouts, for reclamation at Pipitea, and the construction of the Wellington to Foxton Railway; and, if so, out of what appropriation such sum is payable; (2) the respective amounts to be expended on reclamation and railway construction; (3) the probable cost of the construction of the Wellington to Foxton line, and when it is supposed it will be completed; (4) the total area of land which has been acquired from the Natives since the 29th day of August, 1878, and which is contiguous to or will be rendered available for settlement by the construction of such line, and the proceeds of which will be available towards payment of the cost of such construction; (5) also the total cost of such land, and the amount which it is estimated will be realized from the same after the construction of the railway? The first part of the question had already been answered; but perhaps it would be as well for the House to be informed as to the other matters. It would be in the remembrance of honorable members that, when this railway was projected in 1878, the Minister for Public Works said the construction of the line would depend to a great extent upon the acquisition of Native lands, the proceeds of which would afterwards be

placed against the cost of the line. He would like to know whether the Government had taken any steps towards acquiring the Native land at such a price as would leave a fair margin above cost and expenses, as a contribution towards the cost of this line. The statement of the Minister for Public Works to which he referred would be found on the 5th page of the Public Works Statement of 1878.

Mr. OLIVER had replied to the first question, and could not at present give the information sought for by the honorable gentleman on the other points.

CANTERBURY LOCAL BODIES.

Mr. SAUNDERS asked the Colonial Treasurer, Why the £100,000 which the late Government held back from the Canterbury County Councils and Road Boards, and which the Public Accounts Committee reported, on the 3rd October, 1878, was due to them, and should be paid to them, has not yet been paid; and what is the nature of the provision made for that purpose by the late Colonial Treasurer, referred to by him in these words to the Christchurch electors: “Canterbury has £100,000 due to it, for which ample provision is now made. I took care that that should be done, and at a time when I had no idea for a moment that I should be asked to represent Canterbury. I did it solely as Premier of the colony, from a sense of justice”? He might say that the local bodies of Canterbury had three times been disappointed with reference to this money. In the first place, they had no idea as to why or upon what authority £227,000, of which this £100,000 was a part, was retained from their subsidies by the late Government; in the second place, a Committee of the House had, more than a year ago, reported that this sum was due, and should be paid; and, thirdly, they had received, from the highest possible authority—that of the Premier of the colony and Treasurer at the same time—an assurance, given to the Christchurch electors, that ample provision had been made for this payment, and had actually concluded that therefore they might immediately expect it.

Major ATKINSON said there was no doubt this money was due, that the payments had been kept back, and that all sides now agreed the money should be paid. He did not know what the late Premier might have had in his mind, but, as far as he knew, the only provision that had been made was in the Schedule of the Loan Act of last session. He regretted to say that the loan had been so very much anticipated by expenditure already, that he was unable to tell the honorable gentleman when payment would be made.

Mr. SAUNDERS.—Do I understand that payment depends entirely upon the five-million loan?

Major ATKINSON.—Yes.

Sir G. GREY.—Sir, I rise to a point of order. I object to a question of this kind being put, and such a statement being made as—

Mr. SPEAKER.—That is not a point of order. The question was in ordinary form.

Sir G. GREY.—I think not. It is contrary to the rules of Parliament that a question should be put to the Treasurer which should be put to me.

Mr. SPEAKER.—The honorable member is quite out of order. No debate can arise. I thought the honorable gentleman was desirous of making some personal explanation.

Sir G. GREY.—Well, I rise to a personal explanation. My explanation is this: It is unjust to put a question, which implicates a third party, to be answered by another person, when the person to whom the question relates is here to answer for himself. The rules of the House would allow that question to be put to me, and my answer would have been different. I should have pointed out that the honorable member for Cheviot made a statement contrary to fact—that I never said the money would be immediately paid. It would be found that many letters had been written on this subject, and the distinct statement was made that the money could not be paid until the loan was raised. It is contrary to parliamentary rules to put such a question to the Treasurer, and not to myself; and I have a right to complain of that question having been allowed to stand upon the Order Paper.

TAPANUI RAILWAY.

Mr. IRELAND asked the Minister for Public Works, If the Government are willing to make to the contractors of the Tapanui-Waipahi Railway a progress payment, with the view of enabling them to complete the line as speedily as possible, and thus afford the producers of the districts affected the means of obtaining a market for their grain, &c.?

Mr. OLIVER, in reply, said this question related to a contract of a special character, the terms of the contract being, as to payment, that the amount of the contract—£61,500—was to be paid in three equal instalments after a certificate of the completion of the railway had been given, at 60 days, 120 days, and 180 days. The work proceeded very well up to a certain date, about three or four months ago; but since that date scarcely any progress had been made. Representation had been made to the Government on the part of the producers in that district that it was necessary in their interests that the portion of the line which could be completed before the next season should be taken over by the Government, so that it might be used for the purpose of conveying grain to market. The contractors had asked the Government to take that portion over and make a progress payment, and it remained with the Government to say whether they were prepared to vary the conditions of the contract and to make progress payments, notwithstanding that presumably a higher price was being paid for this work than would have been paid if progress payments had at first been agreed upon. It might be necessary, in the interests of the residents of that neighbourhood, that this work should be taken over; but, if so, he thought the Government would be justified in asking that the terms of the contract should be varied in regard to the price to be paid.

Mr. Speaker

RAILWAY RETURNS.

Mr. RICHARDSON asked the Minister for Public Works, Why the monthly railway returns of the receipts and expenditure have not been published in the *Gazette* for the last three months, the date of the last published being for the four-weekly period ending 26th of July, 1879? Ever since the Government had had the control of the railways of the colony it had been the custom every month to publish in the *Gazette* returns showing the receipts and expenditure on the various lines. That practice had been discontinued about three months ago, and no information was now given to the public. This was information anxiously looked for by himself and others who took an interest in the railway system of the colony, and therefore he put the question standing in his name.

Mr. OLIVER said it was the fact that the returns formerly published had been discontinued, and that had been done in pursuance of a recommendation made to the Government by the Railway Commissioners. He was not fully acquainted with the reasons which induced those gentlemen to make that recommendation; but he did not agree with them.

Mr. RICHARDSON.—Does the honorable gentleman intend to recommence the publication of the returns?

Mr. OLIVER said the publication would be resumed, and the returns would take the ordinary form.

WAIKATO SURVEYS.

Major TE WHEORO asked the Government, Whether it is their intention to discontinue all surveys carried on at the present time in the District of Waikato? The reason why he asked the question standing in his name was this: that a great deal of objection existed on the part of the Maoris, who were continually running after the Government officer to try and get something done in settlement of their grievances. He (Major Te Wheoro) had received a telegram informing him that Natives were on the ground watching an opportunity to prevent the surveyors doing their work. He asked the Government to discontinue the surveys lest the same trouble should arise there that had been experienced at Ohinemuri.

Mr. BRYCE asked whether the honorable gentleman referred to the Patetere Block.

Major TE WHEORO said he did.

Mr. BRYCE said the matter to which the honorable gentleman referred had given him a good deal of trouble. It was one of the legacies that he had come into, and he was under the impression that the honorable gentleman, as an officer of the Government, had been himself partly responsible for what was now going on. He had been making all the inquiries it was possible to make for the last few days, and he found that the honorable gentleman was correct in saying that there was some dissatisfaction with the survey that was now going on. He had endeavoured to ascertain whether the dissatisfaction really amounted to anything serious or not; and he would be happy to confer with the honorable gentleman, and have his opinion upon the matter, because it was a thing to which he attached very

great importance. He might say that a Native of some influence in the Waikato had come down to Wellington for the purpose of urging upon him the necessity of stopping the survey, in case, as the honorable gentleman himself said, something might happen. The matter was under his most serious consideration, and he was not so anxious to press the survey forward as the Government had previously been, although he would not like to stop it abruptly. It might be convenient to carry it on up to a suitable point, and then to stop it until the Natives held the meeting which he understood they desired to hold with a view to settling this question.

RAILWAY TICKETS.

Captain RUSSELL asked the Minister for Public Works, Whether the Government will authorize the sale of railway tickets at post offices and by such persons as are licensed to sell stamps?

Mr. OLIVER said the subject of the sale of railway tickets by tradespeople and at post offices received the careful consideration of the department after the close of the session of 1878, but it was found that, with existing Treasury and Audit regulations, it would be quite impracticable to attempt such a course. By the Audit regulations each person who acted as agent for tickets would either have to purchase the supply or enter into a guarantee for the value of them. It was found that a supply of tickets which would be of any use whatever meant a very large sum of money, and it would not be possible to find persons willing to act as agents.

INVERCARGILL GAOL.

Mr. BAIN asked the Minister of Justice, If it is intended to make any alterations in, or addition to, Her Majesty's gaol at Invercargill? Several efficient reports had been sent in to the Government pointing out the inadequacy of the accommodation at this gaol, and he would be glad to hear that the Government intended to make some better provision for the future.

Mr. ROLLESTON said the Government were aware of the necessities of the case, and a sum had been placed on the draft estimates for the purpose indicated. The subject had not been considered how far the finances of the colony would enable all the buildings required in this department to be erected, but this case would receive full consideration.

OTAUTAU-NIGHTCAPS RAILWAY.

Mr. McCAUGHAN asked the Minister for Public Works, Why the contractor for the Otautau and Nightcaps Railway is not proceeding with his work?

Mr. OLIVER said the Engineer in Charge had reported that this railway would be ready for opening by the end of next month. If there was any laxity, the contractor would be pressed on.

Mr. McCAUGHAN said the honorable gentleman had evidently misunderstood the question. This railway was a continuation of the Otautau Railway to the Nightcaps, and no progress was being made with it.

Mr. OLIVER explained that some difficulty had been experienced by the contractor in getting supplies of material, but the department was urging him on as fast as possible.

NATIVE LEASES.

Captain RUSSELL asked, Whether the Government will appoint some official in the principal towns in each provincial district to receive the duty payable on Native leases; and whether, taking into consideration the undue pressure of the land-tax on holders of land under Native leases, they will recommend this House to repeal that clause of "The Native Land Act, 1877," under which duty is levied?

Major ATKINSON said he was informed that there were officers appointed in all the chief centres to receive the duty. Possibly the honorable gentleman might refer to back dues owing before the end of 1878, which were collected by a separate officer, Mr. Warren. In Auckland, Wellington, and Napier there were officers to receive the dues. As to the second part of the question, that was a matter of policy which would be dealt with when the Government brought down their financial proposals.

SEAWARD BUSH RAILWAY.

On the motion of Mr. SHANKS, it was ordered, That this House will to-morrow resolve itself into a Committee of the Whole, to consider of an address to His Excellency the Governor, praying that thirty thousand acres of land in Seaward Forest be set aside for the purpose of constructing the Seaward Bush Railway, as authorized by the Provincial Council of Otago.

PRESS TELEGRAPH WIRE.

Mr. JOHNSTON, in moving the motion standing in his name, said that last year some papers were laid on the table of the House relating to an arrangement between the Government of that time and certain newspapers, by which the exclusive use of a telegraph wire was given to those papers. At first sight it appeared from the papers laid on the table that this would entail a considerable loss on the department, and also that it would so diminish the resources of the Telegraph Department that it could no longer satisfy the requirements of the public generally. The then Government assured the House that there would be no loss of revenue to the country, and also that another wire would be put up so as to meet the requirements of the public. He did not know how far those assurances had been carried out, or whether or not there was at the present moment any public loss or inconvenience occasioned by the arrangement. He had no doubt the House—and he was sure the public—would be very glad to see how the matter stood, and it was for that reason he had given notice of his motion.

Motion made, and question proposed, "For a Select Committee to inquire into the question of what facilities can be given by the Government for the use of the telegraph by the public Press. The Committee to consist of Mr. Hall, Mr. Bain, Mr. Barron, Mr. Bunny, Mr. J. B. Fisher, Mr. Macandrew, Mr. Swanson, Mr. Whitaker, and the

mover. The Committee to have power to call for persons and papers, and to report in fourteen days; three to be a quorum.”—(*Mr. Johnston.*)

Mr. HALL said the Government had no objection to the appointment of this Committee. The subject was inquired into by a Committee of the last Parliament; but, owing to want of time, a complete inquiry could not be made, and it was recommended that a Committee should be appointed this session for the purpose. The whole arrangement was in an unsatisfactory condition, and he had no doubt that the inquiries of the Committee would lead to good results.

Motion agreed to.

MONEY-ORDER OFFICES.

Mr. GEORGE asked leave to withdraw his motion, “That, in the opinion of this House, all post offices in the colony shall also be opened as money-order offices.” He had placed the motion on the Order Paper, not with the hope of its being carried, for he did not think it would be judicious that it should be, but simply in order to call the attention of the Government to one of the postal regulations—namely, that no money-order office could be opened except in connection with a post-office savings bank. Now, there were some places where money-order offices alone could be opened without any additional expense and without the necessity for any accountant being employed there, but where a money-order office would be a great convenience. He would like the Government to give the subject their attention, and see if anything could be done in the matter.

Motion, by leave, withdrawn.

MIDDLE ISLAND BRANCH RAILWAYS.

Mr. WRIGHT, in moving the motion standing in his name, said his object was to obtain some reliable data for the guidance of honorable members and himself when called upon to vote for a further extension of our railway system. The best guide for that purpose would be the result of past operations. So far as regarded the railways in the North Island, the accounts were already quite separate and distinct, and the result could be obtained from the Public Works Statement for the current year; but it was not so in the case of the branch railways in the Middle Island. There might be some difficulty in giving this information with perfect accuracy; but all he asked for was, that it should be as near an approximation to correctness as the system of railway accounts would permit. He was aware that it had been the policy of successive Governments to push forward the railway system in order to open up land for purchase and settlement, and under that system no very profitable return in the shape of traffic could be looked for for the first two or three years after the construction of any particular line. He believed, however, that some portions of these lines had now been in operation quite long enough to afford, by their traffic returns, fair information as to whether the lines had been profitable or not.

Motion made, and question proposed, “That there be laid on the table a return of the reve-

Mr. Johnston

nue and expenditure for twelve months upon each branch line of railway connected with the main trunk line of the Middle Island, together with the cost of each such branch line, and the date of opening.”—(*Mr. Wright.*)

Mr. HALL said the Government would endeavour to furnish the return as far as they could.

Mr. RICHARDSON would like the Government, while having this return prepared, to take into consideration the possibility of including in it a statement of the expenditure and revenue of three portions of the main trunk line—from Amberley to Palmerston, the Dunedin section, and the Invercargill section. Some years ago, and up to a comparatively recent date, the returns in respect to these three sections were kept separate, but lately they had been published all together in the *Gazette*, so that it was impossible to compare the cost of the work on the three sections. This was a matter much to be regretted, because when the accounts were kept separate the general public could be guided as to the merits of the management of the three sections, and it also, as he was aware, created a spirit of emulation between the managers of the different sections which led to most beneficial results. From his own observations during the last six or eight months, he felt it would be his duty to bring that matter before the House in some other shape. That emulation no longer existed, and, in fact, such a system of extravagance was growing up that if the Government did not see their way to interfere the House would have to do so. He would not detain the House now, and would only ask the Government to see whether it was not possible to separate those accounts, so as to enable himself and others who took an interest in these matters to give an intelligent opinion upon the propositions brought down in the Public Works Statement.

Mr. ROLLESTON thought the suggestion of the honorable member for Christchurch City was an exceedingly valuable one. It would, however, be desirable that some honorable gentleman should move an addition to the resolution, so as to give effect to the honorable gentleman's wishes. It was unadvisable that returns should be prepared in a way different from that ordered by the House. The Government would be glad to accept of such an amendment.

Mr. RICHARDSON explained that, from questions he had asked the Minister at the head of the department, he had reason to suppose that it was very doubtful whether what he suggested could be done. He did not like to move this addition himself, because if it were carried the return would be incomplete. He would be quite satisfied if the Premier would ask his colleague, when bringing down his Public Works Statement, if possible, to divide these figures.

Mr. GISBORNE would like to understand what was meant by the term “revenue.” Supposing a person went from Christchurch to Malvern, was the whole of the fare the revenue of the branch line, or was a portion of it the revenue of the main line?

Mr. HALL could not say authoritatively what the opinion of the railway authorities would be on this point. He should think that a proportion of the fare, according to the mileage, would be the revenue of the branch line.

Mr. GISBORNE said that probably the passenger would not travel at all unless he meant to go to Malvern.

Motion agreed to.

PUBLIC TRUST FUNDS.

Mr. STEVENS, in moving the motion standing in his name, would briefly explain its object. There were certain funds which by the Public Revenues Act it was necessary to invest in securities. These funds had now reached a sum of about £1,200,000, and the investments included—the Post Office Savings Bank funds, which amounted on the 31st December to £756,000; investments on account of the Public Trust Office, about £50,000; and investments on account of the Government Insurance Department of about £243,000. The sum was now very large, and the tendency was necessarily to increase as these departments enlarged their operations. The investments generally were of this character: Those of the Public Trust Office consisted entirely of the securities of the colony; the investments on account of the Government Insurance Department appeared to consist up to the 30th June of Treasury bills of the colony; the investments on account of the Post Office Savings Bank funds seemed to consist, with some very few and not important exceptions, of the bonds of the colony, in one shape or another. There were a few exceptions—a few river bonds and harbour mortgages—but, speaking generally, the securities were almost all the bonds of the colony, of one sort and another. The question of how these funds were to be dealt with was one of an important character. He thought it was desirable that such a subject should be investigated by what might be considered a specially-qualified body; and it appeared to him that the Public Accounts Committee, which would be appointed in the course of a few days, would be essentially the right body to whom to refer the question. He was very anxious to in no way prejudice the views of that Committee by discussing the matter at the present time, further than to convey to the House the opinion which he held that the subject was one which might be very advantageously considered. If the House agreed to this reference he would invite the Committee to consider whether it was advisable that these funds, taking into consideration their peculiar character, should continue to be so largely invested in the securities of the colony. He should then ask them to consider, also, whether it would be advisable that the securities of other colonies or any other established institutions should be taken instead; and he would also like them to consider whether a different course altogether in the way of treating these moneys, either wholly or in part, should be adopted. He would not take up the time of the House, for the reasons he had given, in discussing a subject of such a strictly technical character. If the House should agree to the motion, he believed some con-

sideration might advantageously be given to the question.

Mr. W. J. HURST had much pleasure in seconding the motion. He thought the House and the country owed a debt of gratitude for the manner in which the honorable gentleman had introduced this very important question. It was a matter which had given him (Mr. Hurst) a considerable amount of concern, and he knew of no question which deserved more consideration at their hands than that of a proper investment of funds held on public account. He scarcely dared trust himself to picture the disastrous results that might follow from the improper investment of those funds. He agreed that, pending the inquiry by the Committee, the less this subject was discussed in the House the better. He trusted the result would be that the expectations of the mover would be realized, and that the Committee would be composed of gentlemen who would regard the subject from a colonial aspect, and with a view of protecting these valuable institutions, the funds of which were referred to in the motion.

Motion made, and question proposed, "That the present position of the investments of the public trust funds should be taken into consideration by the Public Accounts Committee, with a view to see whether the treatment of those funds hitherto adopted is the best practicable."—(Mr. Stevens.)

Mr. HALL said the Government concurred in the motion. They thought it was one of those questions which might fairly and properly be brought under the notice of the Public Accounts Committee. He did not believe it would be found that anything had been done with regard to the investment of these funds which was not strictly in accordance with law. Of course, whether a different practice for the future was desirable, was a question which might well be considered; and he was confident that, whatever the opinions of the Committee might be on that subject, it would not do anything which would in any way embarrass the Government. It would, perhaps, be advantageous to consider this point also—he was not satisfied whether it would be strictly within the functions of the Committee, but it was a point which ought to be considered by some Committee: whether the conditions on which the savings banks of the colony received deposits could not be somewhat modified. The deposits now amounted to three-quarters of a million, and, under the present conditions, it was open to the whole of the depositors to demand immediate repayment of their deposits. He did not think that such a condition was absolutely necessary. If the depositors had the security of the State, he thought they should be content to submit to such an amount of notice for the withdrawal of their deposits as would, without subjecting them to serious inconvenience, give the State a reasonable opportunity of providing the funds to meet withdrawals; because, if the State had to pay interest on funds of this kind, it must invest the money—it could not keep the cash in a drawer, and pay it over the counter at any moment when the depositors might re-

quire it; and, if it was invested, it was but fair that the State should receive a reasonable notice of the intention of the depositors to withdraw their money. He did not say that would be necessary in the case of small amounts, but they knew that other than small amounts were very often invested; and he thought the length of notice that the Government might insist upon should be in proportion to the sum deposited. For instance, over £20 should require a certain notice, over £50 a longer notice, and over £100 a still longer notice: that was to say, not that it should be a rule in all cases, but that the Government should have the right, if it thought proper, to insist upon notice if it was not convenient to pay a large amount without notice. He did not know whether, strictly speaking, this was a matter for the Committee on Public Accounts to go into; but it seemed to him to be connected with the subject which the honorable gentleman proposed to refer to them, and probably they might think it desirable to include it in their investigation.

Mr. KELLY would like to say a few words with regard to this motion. Of course he agreed with the proposed reference to the Public Accounts Committee. But he would point out that the Committee would not be justified in going into the question suggested by the Premier, unless it had a wider order of reference; and he thought the motion should be altered in that direction. With regard to the functions of the Committee taking a wider range, he understood that at present these trust funds could only be invested in the bonds of the Colony of New Zealand. But there were other securities in the colony quite as good as colonial bonds, and he thought public trust funds might be invested in those securities. He referred to county loans and municipal loans, for which the securities were the rates and real property. He understood that trust funds could not at present be invested in such securities, and it might be desirable that the Public Accounts Committee should consider whether it would not be advisable to allow these funds to be invested in securities of the character he had mentioned. He thought himself that they were better securities than Government bonds, considering the rate of interest paid. The security, being upon real property and the rates of the district, with a sinking fund, was of a first-class description. At the present time it was very difficult to negotiate small loans where the interest was limited to 7 per cent. He thought a question of this sort ought to be referred to the Committee for inquiry.

Mr. STEVENS, in reply, said the question suggested by the honorable member at the head of the Government could very easily be taken into consideration by the Committee if they thought fit to inquire into it, and they could also, he thought, further extend the range of their investigation in the direction pointed out by the honorable member for New Plymouth. The constitution of that Committee was peculiar. It had power to consider anything which the House might desire to have considered, and the Government also could refer questions to it: for instance, revenue Bills were referred to it for consideration

Mr. Hall

by the Ministry in their early stages. He thought the views of the Premier were sure to receive full consideration when the Committee met.

Motion agreed to.

TARIFF.

Mr. W. J. HURST, in moving the motion standing in his name, said he did not wish to take up the time of the House in discussing it, inasmuch as the subject had already been debated by the House. He was still of opinion that the appointment of a Commission was the proposal best calculated to attain the end in view. He trusted the House would pass the motion without discussing it, leaving it to the Government, after the result of the present Committee's investigations had been made known, to elect whether the Commission should be appointed or not. The honorable member for Port Chalmers and other honorable gentlemen approved of this course as the one best calculated to attain the object in view. He trusted the Committee already appointed would so thoroughly deal with the subject as to render it unnecessary for the Government to appoint a Commission. There would, however, be no harm in passing the motion, leaving the matter in the hands of the Government to deal with as they thought fit.

Motion made, and question proposed, "That, in the opinion of this House, His Excellency the Governor should be moved to issue a Commission to take evidence at the principal commercial centres of New Zealand, and to report upon the operation of the present tariff, with a view to a such readjustment of the Customs duties as may be considered best calculated to foster the various branches of industry now established within the colony."—(Mr. W. J. Hurst.)

Mr. MURRAY, in seconding the motion, suggested the addition of the words "or hereafter to be established." As Chairman of the Local Industries Committee for several years he had taken an active part in this subject, and a very large amount of evidence had been obtained by that Committee; and he would suggest that the records of the House should be searched by the Committee appointed, which would save the Committee a large amount of investigation. He hoped the resolution would be agreed to, as the subject was one of great importance. If the Commission were appointed the result of its labours would be valuable next session for honorable members to comment upon.

Mr. GISBORNE thought the terms of the motion carried the principle of protection. It stated that the tariff should be so adjusted as to foster the industries of the colony. They had a Committee sitting at present considering not only the question of lessening the duties in the tariff with a view to encourage manufactures, but also considering other means that might be taken for that purpose. The House should have the report of that Committee before asking the Government to appoint a Commission to take evidence generally for a similar purpose. This Committee would probably be unable to report until late in the session, and he thought it improbable that the House could take action on the report before the

prorogation. Still, they might be able to do so. At the same time, before they knew what the report of the Committee was, they should not move the Governor to appoint a Commission which would really undertake a similar course of duties. For that reason, he considered the present motion inopportune. His chief objection to the motion was that it introduced and favoured the question of protection. He understood that for the purpose of revenue they could properly adjust the tariff so that it would encourage local industries. That was not protection, in his view, or in the view of many other honorable members. Honorable members would agree that, if they wanted a certain revenue from the tariff, it was quite within the province of free-trade to arrange a tariff so that it would not injure, but even protect and encourage, local industries. That did not infringe the principles of free-trade. After all, what was protection? In a few words, it was the taxation of the many for the benefit of the few. He was not prepared to adopt such a principle. He would like to see the report of the Committee now sitting recommend that the tariff, so far only as indispensable revenue was concerned, should be so arranged as to encourage local manufactures and local industries. He would leave the House to consider the question. They were really, by a side-wind, asked to commit themselves to the principle of protection. He appealed to those who were not prepared to commit themselves to that principle not to accept this motion. They had already a Committee sitting considering the general subject, and they should have the report of that Committee before being asked to consider this motion.

Mr. SPEIGHT moved an amendment to the effect that the Commission should take evidence during the recess, and that the motion should relate to various branches of industry now or hereafter to be established within the colony.

Mr. W. J. HURST wished to explain that he did not desire to introduce the question to which the honorable member for Totara had referred. The resolution was carefully worded in order to avoid that question. It simply meant that revenue must be raised and taxes imposed in such a way as to assist native industries. Seeing that a Committee had already been appointed by the House, he would be contented if the Government would introduce words to the effect that, if they were satisfied with the result of the labours of the Committee, then they need not carry out the resolution of this House. He was quite satisfied that the object contemplated by that Committee was the same as that contemplated in this resolution. There was not sufficient time at the disposal of the Committee this session to deal fully with this important question. He carefully guarded himself from in any way introducing the principle of protection, as this was not the fitting time to introduce such a question.

Mr. STEVENS, in response to the appeal of the honorable member for Totara, would say that, since the change made by the addition moved by the honorable member for Wellington City (Mr. Levin) to his (Mr. Stevens's) order of reference to the Tariff Committee, the difference

between that order and the present motion was simply whether a Commission would do the work better than the Select Committee. He thought not, and was therefore opposed to the motion. He regretted that the Tariff Committee had been charged with the wider question of making inquiries in a protectionist direction; but since it was so, and much information of that nature was coming in, it seemed useless to contemplate the appointment of a Commission for such a purpose until the result of the Committee's investigation was known.

Mr. MONTGOMERY thought that in this case a Commission would not be of much value. He thought that a Committee of the House to inquire into the subject generally would be far more valuable than a Commission. He had held a very decided opinion for many years as to the desirableness of fostering native industries by putting on such duties as would protect industries which required to be fostered; but he did not think that the appointment of a Commission was the best course to adopt: he thought a Committee of the House would be best. If the Committee should not be able to put the information clearly before the House this session, in order to guide the House in coming to a decision in the matter, then the work would devolve on another Committee next year; or the Government of the day would perhaps consider the necessity of altering the tariff so as to protect industries which required to be fostered. Whatever was done, it should not be left to the Government to say that they would appoint a Commission if they thought it expedient to do so. He trusted that such an addition would not be made to the motion. Let it be an order of the House either that a Committee or a Commission should be appointed, but the matter should not be left to the discretion of the Government.

Amendments negatived.

Mr. HALL did not think the House should bind the Government to the appointment of this Commission, until the report of the Committee to which reference had been made in the course of the debate was brought up. The report of the Committee might possibly recommend this very step to be taken. He hoped the honorable member would agree to postpone his motion. If not, he would move the following addition: "if, in the opinion of the Government, upon the consideration of the report of the Select Committee now sitting upon the promotion of native industries, it shall appear expedient to do so."

Mr. FULTON thought that, after the expression of opinion given on every side of the House, the honorable member would do well to withdraw his motion. He begged to move, That the debate be adjourned.

Mr. SEDDON opposed the adjournment of the debate. They had been twenty minutes talking on this subject, and if it were now adjourned it would only be reopened again, and lead to a waste of time. It was not necessary to have this Commission appointed. He did not believe in it. The matter, if referred to a Committee, would be brought before the House this session, and dealt with at once.

Question put, "That the debate be now adjourned;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	33
Majority against...	...	...	...	...	14

AYES.

Mr. Acton Adams,	Mr. Pitt,
Mr. Bain,	Mr. Rolleston,
Mr. Bryce,	Mr. Seymour,
Captain Colbeck,	Mr. Stevens,
Mr. Hall,	Mr. Swanson,
Mr. H. Hirst,	Mr. Tomoana,
Mr. Hursthouse,	Mr. Wright.
Mr. McLean,	<i>Tellers.</i>
Mr. Murray,	Mr. Fulton,
Mr. Oliver,	Mr. W. J. Hurst.

NOES.

Mr. Allwright,	Mr. Reeves,
Mr. Andrews,	Mr. Reid,
Mr. Ballance,	Mr. Saunders,
Mr. Barron,	Mr. Shanks,
Mr. Brown,	Mr. Sheehan,
Mr. Bunny,	Mr. Tainui,
Mr. De Lautour,	Mr. Tawhai,
Mr. Dick,	Major Te Wheoro,
Mr. J. T. Fisher,	Mr. Thomson,
Mr. Gisborne,	Mr. Tole,
Mr. Hamlin,	Colonel Trimble,
Major Harris,	Mr. Turnbull,
Mr. Hislop,	Dr. Wallis,
Mr. Lundon,	Mr. Whitaker.
Mr. McCaughan,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Seddon,
Mr. Ormond,	Mr. Speight.

Motion for the adjournment of the debate negatived.

The hour of half-past five o'clock having arrived, Mr. SPEAKER left the chair.

HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

RAILWAY CONSTRUCTION.

The House went into Committee of Supply.

Mr. OLIVER moved, That, with a view of enabling work to be temporarily provided for the unemployed, this House authorizes the Government, pending appropriations by Parliament, to execute such portions of the public works enumerated in the Schedule to "The Railways Construction Act, 1878," as may be necessary for that purpose, and to incur for such purposes an expenditure not exceeding £50,000. It would be within the knowledge of the House that for some time past there had been great depression in the business of the colony, and that it had led to a great many workmen being thrown out of employment. These workmen, as in previous times of a similar nature, had applied to the Government for employment, and the Government, as well as their predecessors, had endeavoured to employ these men on such works as

Mr. Seddon

would eventually become useful—such works as had been sanctioned by the House, and for which votes would be submitted and probably taken; but many sections of railways on which these men had been employed were lines with regard to which the sanction of the Governor in Council had not been obtained in accordance with the provisions of the Railways Construction Act of 1878. The provisions of that Act were very stringent. There was a clause, which no doubt members were familiar with, that obliged the Government, before entering into a contract for works, to have the plans and specifications of the works proposed to be undertaken, together with a certificate from the Chief Engineer that the lines proposed to be made were the best routes for the purposes, laid before the Governor in Council and approved by him. This, in a number of cases, had not been done. In fact, the late Government appeared to have believed that the authority contained in the Immigration and Public Works Appropriation Act was quite sufficient for their purpose, without regard to the provisions of the Railways Construction Act of 1878. That opinion might have been a just one or not. The present Law Officers of the Crown seemed to be of opinion that it was not so—that the two Acts were concurrent; that, both being laws of the colony, it would be illegal to proceed any further with the construction of lines not approved by the Governor in Council in accordance with the provisions of the Railways Construction Act which he had mentioned. As he had stated that afternoon, the Government desired to keep strictly within the bounds of legality—they were not desirous of setting at defiance the laws of the colony; and, in saying that, he did not wish to cast any reflections upon the late Government. He knew of his own personal knowledge that Mr. Stout, who held the position of Attorney-General in the late Administration, had strong views on the subject, and held that sufficient authority was contained in the Appropriation Act, and that the other Act need not be referred to. However, seeing that the opinion of the Law Officers of the Crown was at present against that view, the Government thought they could no longer go on with these works without referring the matter to the House and obtaining its sanction to the expenditure of these moneys. The expenditure had been somewhat considerable. Up to the 31st October, £24,000 had been spent in paying wages to men who otherwise would not have been employed. The number of men now employed in the Middle Island, in round numbers, was 2,000, while in the North Island there were somewhere about 500 employed, and there were claims constantly being urged upon the Government to absorb more labour. The charges per week, on an average, for the next eight or nine weeks would be about £4,000; so that the Government did not think they would be justified in neglecting to appeal to the House to sanction this expenditure. There was every reason to believe that, as the season advanced, the number of unemployed would be much lessened. No doubt, when shearing-time came on and the summer advanced, the number

of unemployed seeking work from the Government would be very small indeed. Therefore the Government thought that the amount named in the resolution, £50,000, would be amply sufficient for all purposes. He believed the Committee would approve the course the Government thought fit to take; and, without occupying very much time about it, they might as well take the vote of the Committee and obtain legal authority for the work.

Mr. MACANDREW said he should have liked the honorable gentleman to have pointed out the particular railways named in the Railways Construction Act on which it was proposed to spend this £50,000, and he thought it was desirable the Committee should know that. Neither could he see what connection there was between the provisions of the Railways Construction Act and this resolution. The provisions of the Railways Construction Act had, with regard to most of the lines contained in the Schedule, been complied with.

Mr. OLIVER.—No.

Mr. MACANDREW understood so. There were only one or two in connection with which it had not been done, and steps were being taken in respect to those when he left office. There was nothing to have prevented them being complied with in a few days. The truth was, the whole of the provisions of the Act, as amended by the Legislative Council, and insisted upon by them, were a perfect farce; the practical effect, if not the object, of which was to prevent any of the lines proposed being made. There was not the slightest doubt of that; these plans had been presented to the Governor simply to give effect to the letter of the law. They were, however, not of the slightest use. The late Attorney-General (Mr. Stout) had come to the conclusion—and no doubt he was right—that there was no necessity for the Government to take the slightest notice of the Railways Construction Act; but still, in order that there might be no mistake about it, nearly all the lines by his advice had been formally approved as provided by that Act, notwithstanding that their construction was authorized by a different Statute—namely, the Immigration and Public Works Appropriation Act. He should like to have some explanation from the Minister for Public Works on these points.

Mr. OLIVER said the particular works which were now being performed by the men employed by the Government were those which the late Government started them on. They were on the Otago Central line, at Mullocky Gully; the Waka Pass, Canterbury; and in the neighbourhood of Wellington, on the Wellington-Foxton line. All these works were commenced before the present Government took office. That answered that question. But as to the legality of the work, there was no authority for payment unless this resolution were passed.

Mr. MACANDREW wished to understand whether the funds of last year were exhausted. He knew that they were exhausted in the case of the Foxton line, but he was not aware that they were exhausted in the case of the Otago Central

and the Amberley Extension. He thought there was sufficient money left from last year's appropriation to cover all the work going on on those lines.

Major ATKINSON said the honorable gentleman had perhaps overlooked the fact that the appropriation was only taken up to the 30th of September. On that date the whole of the votes lapsed, and the Minister for Public Works now comes down to Parliament for authority to meet any emergency that might arise. If an emergency arose during the recess, the Government dealt with it in the best way they could; but it would be wrong not to come to Parliament for authority when the House was in session.

Mr. MACANDREW said he did not object to the proposal—in fact, he thought it was a reasonable one; but he did object to its introduction with a flourish of trumpets about the Railways Construction Act, which had nothing to do with it at all.

Major ATKINSON said the plain fact was, that the contracts were running on, and there was no authority to pay. As to the flourish of trumpets about the Railways Construction Act, his honorable friend the Minister for Public Works had made no flourish at all. The fact was, that the late Attorney-General took one view of the matter, and the Solicitor-General apparently gave no opinion at all upon it; but the present Attorney-General clearly held the view that the action taken by the late Government was altogether illegal. They did not wish to question that at all; but they must be guided by the opinion of their Law Officer, and especially while Parliament was sitting. They were informed that to proceed further would be to incur an illegal expenditure of public money, and they could do no more than go to Parliament and say what money was required, and ask for the necessary authority.

Mr. MACANDREW said when the Railways Construction Act was brought down to the House the honorable member who had just spoken himself pool-pooled the idea, and he (Mr. Macandrew) now admitted that he had been wrong and that the honorable member was right in the view he then took; and, recollecting what was said of the Railways Construction Act at the time, he was surprised to hear so much stress laid upon it now. If the honorable gentleman had brought in a Bill to provide for the repeal of that Act it would have put matters much clearer, because no doubt, if the Act had been acted upon literally, the effect would have been that no railways would have been constructed under it at all.

Mr. RICHARDSON would not oppose the resolution, or refer to what took place when the Railways Construction Bill was introduced; but there was little doubt that the object of the provisions that were introduced into that Bill during its passage through the other branch of the Legislature was to insure that, before any railway was undertaken, plans and specifications should be prepared, so that the Government might be in a position to inform this House what the whole cost of each undertaking would be. That was his view of the case at the time. However,

the late Attorney-General had a different opinion, and, instead of the late Government having surveys made of all these lines, it was held that, under the provisions of the 17th section of the Immigration and Public Works Appropriation Act of 1878, it was only necessary that the Government should have this information in connection with any little bit of these lines which they might think fit to commence. That was the objection he had to the action of the late Government, and he would like to see that method of procedure rectified. He thought the House was not justified in passing this resolution unless it had an assurance that the Government would not commit the colony to any railway in regard to which they had no estimates showing what expenditure they were committing the colony to. A particular contract had been mentioned as one which gave rise to this motion; but he was informed that the survey of this line was not at present made, so that the Government were not in a position to inform the House as to the total cost of the railway. He would not put any difficulty in the way of the Government finding work for the unemployed; and he believed it was competent for them to so shape the contract that a very large number of men could be employed in making the reclamation for the future railway station. He hoped that would be done; and he also hoped that, before the country was committed to the construction of the whole line, the Government would be in a position to inform the House what it was going to cost. He trusted the same course would be adopted with regard to the other lines, and that no little intermediate portions would be commenced without a full knowledge of the cost of the whole.

Mr. GEORGE hoped that, if the Committee agreed to the resolution, the Government would not forget one little railway in Auckland—the Helensville and Kaukapakapa line—where profitable work might be found for the unemployed.

Mr. HISLOP presumed that the passing of the resolution would not authorize the Government to go on with the contract that was accepted that afternoon. He could not help remarking that he considered this resolution an attempt on the part of the Government to curry favour with certain parties in this colony—namely, the so-called unemployed; and he objected to the adoption of such a course, particularly when he remembered a speech made by the Minister for Public Works at a public meeting, in which he said that it was not desirable to spend public money merely for the purpose of providing work for the unemployed.

Mr. ROLLESTON was strongly of opinion that the honorable gentleman did not know what he was talking about. If he knew what the present condition of the labour market was, he would not charge the Government with bringing down a resolution to curry favour with the unemployed. There was no doubt that the wages fund throughout the colony had been very much diminished by an unexpectedly bad harvest, and by the low prices ruling for the staple products of the country. There were therefore not the means to employ labour to the extent antici-

pated. They had not found fault with the late Government, but there was no doubt that the labour market had been flooded in a way that the country was not capable of meeting. He had always recognized the responsibility of Government to the people brought out by them, and he felt that they were bound to make provision for these people. They had no right to interfere with the ordinary course of immigration, and then bring the people down to starvation wages. He would never be a party to that. Honorable members wanted to know where these people were to be employed. His answer was, that they would be sent to work where they were most required, and where their families would be best provided for; but a certain amount of discretion must be left with the Government, and, if the House was not prepared to repose that confidence in the Government, let it at once say so. It must take the responsibility of not granting this money; but, when the Government came down and asked for money to meet a particular object, for honorable members to find other matters totally irrelevant to that object to talk about, was simply absurd. The Government asked for the money to meet certain exigencies; and the money would be applied in those parts of the country where those exigencies arose. He was sure the Committee would bear the Government out in their action in this matter.

Mr. HISLOP did not object to the Government bringing down this resolution to carry out the purpose they stated, but he objected to the ostentatious manner in which the unemployed had been referred to in the resolution, and the attempt that was thereby made to throw upon the House the responsibility of finding employment for them, whether they were unemployed through their own fault or otherwise. He could only say that the Government was doing this in order to curry favour with the class whom they had previously affected to despise, referring to them as mobs, and so on. They were doing it simply for the purpose of receiving favour at the hands of those persons. This was a new-born zeal on their part. It had only sprung up that day, and the first intimation this House had of it was during the afternoon, after certain questions were put to the Government. Really they only wanted now to show by the records of the House that they took a great interest in these people. That was the only part of the resolution he objected to—namely, the ostentatious nature of it; and placing on record that which might be taken as a very inconvenient precedent—a precedent at variance with the principles laid down by the Minister for Public Works to a meeting of the unemployed in Dunedin.

Mr. OLIVER could not understand what the honorable gentleman meant by the term "ostentatious." The Government wanted a certain sum of money voted for a certain purpose, and could do no less than make the House aware of what that purpose was. That was the only ostentation in the resolution. The honorable gentleman would find that the resolution simply stated that the Government wanted money to find employment for the unemployed, and nothing more.

Mr. Richardson

When the honorable gentleman charged him with endeavouring to curry favour with a certain class, he simply repelled the accusation. The only occasion on which he came into contact with the unemployed was recently, in Dundedin, when a meeting was held at the theatre there, to which he and the other members for the city were invited. He was called upon to address the meeting, and he did so, and gave those present some advice which was not very palatable to them. So far from currying favour with these people, he had always told them what he considered would be for their benefit, without caring whether they were pleased to hear it or not.

Sir G. GREY had listened with the greatest surprise to the speech of the honorable member for Avon. That honorable gentleman said the honorable member for Waitaki did not know what he was talking about; but certainly the colony at large would not know what the honorable member for Avon was talking about. What was at the bottom of all this? The question was the employment of certain men, who, having been brought out to the colony, could not now get work. Who was to pay these men if they were given work? The honorable member for Avon said that in times past this difficulty had constantly presented itself to his mind, and that he had always been in favour of the working-men.

Mr. ROLLESTON never said he was in favour of the working-men. What he was in favour of was doing what was right and just to all classes.

Sir G. GREY.—The honorable gentleman said he was in favour of the unemployed, and they were working-men, he presumed. The fact was, the honorable gentleman had never been in favour of doing what was right and fair to the unemployed. No doubt he had found money to employ these men, but he could not say that he found that money out of taxes paid by those whom these men were brought out to serve. Nothing of the kind. Whenever it was necessary to find employment for the unemployed, the honorable gentleman and his friends made the labouring-classes throughout the colony find the money. That was their system of taxation. And now they were about to bring down in a few days their new system of taxation, and then the House would see who was to find the money to employ the unemployed. If, in past times, the honorable member for Avon had really considered the rights of the working-man, he would have seen that the taxes were so imposed that those who could and ought to pay them did pay them. He did not do so. On the contrary, the plan had been, that when the people of the country were poor, from not being able to get work to do, large sums of money were taken out of their pockets just in the same way as it was when labour was most abundant. The question was, How were the taxes to be put on by which this money was to be gained? If men were brought out here, work should be found for them; but it should be paid for by those people of large property for whom they were brought out to labour.

Major ATKINSON.—Hear, hear.

Sir G. GREY heard the honorable member for Egmont say "Hear, hear." He was just the man

who tried in past times to prevent a change in the incidence of taxation session after session, and ridiculed the idea. Find work for the unemployed undoubtedly; but let a fair system of taxation be brought down, so that the burden of paying these men should fall upon the shoulders of those who ought to bear it.

Colonel TRIMBLE did not see where these discussions were to end, which were nothing more than an appeal on the part of certain persons to the passions of people outside the House. They were the persons who professed to be the friends of the working-men; but they had not the manliness to tell them what was really for their good, and only came down to the House to talk of grievances that they knew themselves did not exist. He was astonished that the honorable member for the Thames, who, with his experience and well-known ability, might so fairly come forward and tell the real truth, should not have the courage to do so. It was impossible to help comparing that honorable gentleman's speech with that of the Minister for Public Works. That honorable gentleman's speech roundouted to his credit, but the other honorable gentleman's certainly did not. The one honorable gentleman had the courage to tell the truth to the working-men, and point out to them that economic laws must be followed out; the other went on maun-dering day after day, and, solely for political purposes, came down again and again with the same parrot-cry. It was a most discreditable position for any man to take up in a House like that. What the House had to consider was, not working-men at all as working-men, but what was the interest of the country as a whole. If from temporary causes men were temporarily out of work, it was the duty of the House, as it was the duty of individuals in their several capacities, as far as possible to mitigate any suffering that might exist; but to make that constantly the occasion for addressing harangues to parties outside the House was, he thought, discreditable to any member of it. He hoped the House would, once for all, put its foot down and say this sort of thing must come to an end. The business of the country had to be carried out, and it was not the business of honorable members to be constantly appealing to the passions of people outside. They were there to attend to the general interests of the community, and not of one class or another. When the question of the incidence of taxation came before the House honorable members could discuss it on its own merits; and then, if any class of the community felt aggrieved, its grievance could be brought under the attention of the House. But let honorable members discuss it with the voice of reason, and not with the voice of passion. If the taxes bore unfairly on any one class or any one man, let the subject be discussed calmly and quietly, and let them not always be coming down and talking about the rights of the human race and the grievances of the working-man. The man who told the working-classes the truth, whether it was palatable to them or not, would in the end be recognized as their best friend. It was not right to be constantly proclaiming utter fallacies from the House of Representatives.

Sir G. GREY said, as the honorable member wished him to proclaim the truth, he would proclaim the truth. The honorable gentleman had told the House on several occasions that he was one of the most liberal of the Liberals in England. If that were the case, he could no longer wonder that England and Ireland were in their present state of wretchedness. The whole of that mystery was explained to him at once. The honorable gentleman talked about maundering on. Was there ever such maundering as that of the honorable gentleman himself that evening? The honorable gentleman said this was a mere temporary difficulty. He would tell the honorable gentleman it was not a mere temporary difficulty, but one that was becoming permanent, and would grow day by day, unless the land laws imposed upon the country by the honorable gentleman's friends were very much altered. If these people had been brought out under a proper system of administration of the land, they would have been settled upon small farms, and none of this difficulty would have arisen. But it was the honorable gentleman's friends who year after year had grasped for themselves great blocks of land, so that these people could get none. And where had that been done more than in Canterbury, where at this very moment the distress was most alarming? The whole of the land in that part of the country had been shut up by shameful administration of the land laws. It was that which in great part had caused the present distress, and, if not stopped soon, it would go on increasing year by year. It was the administration of the land which had brought this difficulty about, and it was the administration of the land which, if not soon altered, would plunge the country into disaster for centuries to come; which would create a class of wealthy men—men made rich unfairly, by gridironing the country, by pre-emptive rights, by rights unjustly obtained, without the country being consulted. These were the causes which must create a poor class in this colony for years to come, and which, if not stopped, would insure for New Zealand the state of pauperism which exists in Great Britain at the present day. These were truths which should be told the House and the country, and which should be impressed on every man's mind, so that all might rise as one man and insist upon those alterations being made in the land laws of New Zealand which the population of Great Britain were now demanding should be put in force in that country. These were truths, and every man who loved New Zealand in his heart and was acquainted with the true state of the country would admit that what he said was the plain and simple truth, and exposed a state of things which ought to be remedied. If the honorable member for Grey and Bell was a true Liberal, let him give his aid to insure that justice in the administration of the land should prevail from end to end of the country in future.

Colonel TRIMBLE said he would give an illustration which had come under his own observation. Immediately before coming to the House after the election he was waited upon by some persons in reference to matters of a magisterial character which they wished him to perform

Colonel Trimble

for them. These men three years and a half ago came to the country as assisted immigrants. Some of them had seen the inside of a poorhouse at Home. They were of that class. They were honest and hard-working men, and they came to a part of the country where there was but little pampering, and where the land they had to go upon was covered with primitive bush, and the heaviest country in New Zealand. These men told him voluntarily that the talk of Sir George Grey—they mentioned the honorable gentleman's name—was "complete rot." They said, "If we had stayed at Home, what should we have been? We should have been paupers." And one of them, pointing to a deed for a town lot at Inglewood, for which he was receiving £40, and for which he had paid £5—having put improvements upon it—said, "Do you think, Sir, I could have had such a thing as this, if I had not come here as an assisted immigrant?" These men were making their position time after time. No doubt they might require a trifling amount of support in the way of work, either from private individuals or from the Government; but, as a whole, they were working, in an independent way, to an independence. He had been taunted about his position at Home as a Liberal. He was quite willing to take the newspaper reports of himself as a Liberal at Home, and to give the House the newspaper reports of the proceedings of the honorable member for the Thames as a Liberal when he went to England to contest the election in 1870. On that occasion the honorable gentleman went to the town of Newark. He was advised by the Liberal party not to divide the Liberal votes. It was a matter of vital importance to the Government to get one of the most eminent Liberals in the country returned to Parliament, Sir Henry Storks, who was to be Comptroller-General.—(A laugh.)—The honorable member might laugh, but it showed that he knew nothing about the purpose for which Sir Henry Storks was wanted in Parliament. He was wanted as an army organizer in a great army reform movement of that day—one of the greatest reform movements that had ever taken place in Great Britain. A seat was required for him in Parliament, and he was advised to go to the Borough of Newark. The honorable gentleman was advised not to contest the seat with him. There were several candidates. Sir Henry Storks, not wishing to divide the Liberal interest, retired, and a local man contested the seat. The honorable gentleman refused the request of the leading Liberals to retire, and went to the poll. His speech on the occasion occupied fourteen lines in the columns of the *Times*, one of which comprised the word "Cheers," leaving thirteen. Four of them—and he wanted to show them the traditionary history of the man—were occupied in complaints against Mr. Mundella and Sir Henry Storks. He said, in his usual pathetic style, that it was not decent to come there and oppose him, because he understood they were both to be members of the Ministry. The honorable gentleman always had a personal grievance, and his grievance at that time was that one of

the principal Liberals of the country, Mr. Muddell, had come down to oppose him. That took four lines out of the thirteen, leaving nine, and one that was taken up by an interruption. The honorable gentleman's whole speech was thought of such importance by the *Times* that it occupied a space of ten lines in its columns. That was the position of the honorable gentleman with regard to the public Press. As to the electors of the Liberal borough of Newark, the poll commenced at eight o'clock in the morning. At eleven o'clock the honorable gentleman had forty-seven votes, and had to retire, between eleven and twelve o'clock, with the magnificent number of fifty-two votes. That was his position as a Liberal at Home. Now, he (Colonel Trimble) never was a candidate at an election at Home. He had been asked to be a candidate for important constituencies, but he certainly would never have dreamt of being a candidate for any constituency that would only give him the magnificent return of fifty-two votes. He was not to be taunted with his position as a Radical at Home by the honorable gentleman. This constant appeal to the passions of the multitude was unworthy of the honorable gentleman's experience, unworthy of his age, and unworthy of the position of any member of that House.

Mr. DICK would suggest that they should go on with the business.

Mr. MACANDREW might first be allowed to ask the Minister for Public Works if he would be good enough to say what steps, if any, had been taken towards locating the unemployed on village allotments throughout the country. He thought that was the real remedy—to get as many of these people planted on homesteads of their own as possible, and give them three or four days' work in the week upon the railways. There was a very great danger of this providing for unemployed being abused. By doing so they might destroy that self-reliant feeling which ought to be cherished throughout all classes of the community. He had reason to fear that unemployed persons were finding their way from the neighbouring colonies. He thought it would be found that scarcely a steamer arrived from Melbourne or Sydney that did not bring a number of men who appeared amongst the "unemployed." They found that they could get employment here from the Government as a matter of right; and if that feeling went abroad they would have thousands of men coming from the Australian Colonies and other countries. The great thing was to provide small homesteads for all. He knew these things could not be done in a day. There was a great deal of work attached to locating people on the land on the required scale. At the same time, he hoped to hear that steps had been taken, and were being taken, towards locating as many of these people as could be got to occupy homesteads of their own. It would be very gratifying to the Committee to be informed that the Government were taking steps in that direction.

Mr. ROLLESTON thought the Committee was entitled to an answer to the honorable gentleman's question, and as far as he was concerned he would

be very glad to give one. He would state what the position was when he took office. There were over two thousand people employed by the Government upon works in the Middle Island in consequence of the want of other employment. That number had since increased. The first step he took on entering office as Minister for Immigration was to send instructions round to the different Immigration Officers to make arrangements at once that the people should not remain about the towns; that the barracks, of which there were a considerable number in Canterbury, should be immediately prepared, and that the people should be sent to them; that their families should have provision made for them, and that they should be enabled, as far as possible, to be absorbed by the ordinary work of the country. He also made arrangements to have reports, which had since been furnished from different parts of the country, to say where there was a possibility of placing immigrants; and had given instructions that, as they came in, the immigrants should be shifted from one part of the colony to another, according to the different requirements. There was no step the Government could have taken that had not been taken in order to alleviate what was undoubtedly a very considerable pressure at the present time. There were two thousand or three thousand—nearer three thousand—men now being employed. The honorable member for Port Chalmers had himself commenced it, and the present Government had thought it right to carry it on, and to do its utmost to make the pressure as light as possible. They had gone further than that. As far as he (Mr. Rolleston) could, he had in a small way commenced the location of people on spots of ground on the same plan that he adopted some years ago; and the Government intended, as would be seen by every one who would read the Bill on the subject that was now before the House, to pursue that still further. He did not intend to take credit for himself or for the present Government. He quite recognized that the honorable member for Port Chalmers had this matter as much at heart as any man could have. It was not a question of who should receive the most credit. Let them get to work, and not talk, and he promised the House that there should be no lack of endeavours to settle people in the country, as far as this Government was concerned. The honorable member for the Thames (Sir G. Grey) said, "Let us have the truth." Well, let them have the truth. What was the truth with regard to the honorable gentleman? He said that this difficulty was not a temporary difficulty, but one which had been growing for some time past in consequence of the maladministration of the waste lands of the colony—that the difficulty was one which had been growing in the past, and would grow in the future, and that it was permanent. What did the honorable gentleman say elsewhere? Let them listen to his wonderful telegram. Let them hear what he said to Sir Michael Hicks Beach, whom he went out of his way to address directly, instead of through the Governor, as he should have done. He said,—

"New Zealand Government regrets greatly

distress in mother-country. It respectfully informs Imperial Government that six thousand able-bodied emigrants could at once find permanent and profitable employment in New Zealand, in addition to large numbers whose passages are being paid by colony. Agent-General directed to place services at disposal Imperial Government should it desire to forward unemployed and families to colony. He will indicate the classes labourers in demand, who may by industry and perseverance become their own employers."

The honorable member who sent that telegram, and said that these people could at once find permanent and profitable employment, and would be able by industry and perseverance to become their own employers, and that there was a certain future before them, was not entitled to get up and talk the cant and rant the honorable gentleman uttered. It was something shocking, to any man who knew what the truth was, that the honorable gentleman should have ventured to get up before some thousands of men, as he did when on his stumping tour, at a time when this telegram to send out 6,000 people had gone Home, and that he should have appealed to their sympathies as against immigration, should have done his utmost to set class against class, and talk as if he himself were entirely averse to immigration. And he asked the honorable gentleman to tell the Committee now why these papers were not laid on the table—how he ventured to mislead the House. That was a disgrace to any public man. He (Mr. Rolleston) had had a long official life in this country, and had had to do with placing documents before Parliament as an Under Secretary and in other capacities, and he should be ashamed of himself if he professed to give information on a subject and held back some of the most important facts. That was what the honorable member did, and a more disgraceful or more deceitful act was never done in the history of government.

Mr. TURNBULL regretted very much the tone which the debate was taking. He was afraid they were going to have a repetition of those disgraceful scenes that occurred during the session before last. When the Minister of Lands was on the Opposition side of the House, it was perhaps excusable for him to occasionally use rather strong language; but if the dignity of the House was to be maintained, and the business of the country carried on, it would be necessary for the members on the Government benches to adopt a different style of debate. It was the contemptuous manner in which the Minister of Lands rose to speak of the honorable member for Waitaki that had caused all this discussion. He hoped honorable members would not forget that the dignity of their position had been forgotten before—he admitted it—it was for that one reason that he had advocated a different leadership of the party; but he hoped they would not see a repetition of those things by the honorable gentlemen at present on the Government bench.

Mr. MACANDREW was utterly amazed at what had fallen from the Minister of Lands. Who suppressed or attempted to suppress that

Mr. Rolleston

telegram? Was not that telegram laid on the table in due course along with others?

Mr. HALL.—No; it was not laid on the table until the present Government came into office.

Mr. MACANDREW was not aware of that. At all events, it was not kept back intentionally. He imagined that, if there was any one thing more than another of which the colony ought to feel proud, it was that telegram. What were the circumstances under which that telegram was sent? They were in receipt of intelligence from Home that tens of thousands of their fellow-countrymen were actually starving. That telegram was sent under those circumstances, and under the impression that the Imperial Government itself would pay the whole of the passages of the 6,000 immigrants. They could not have been sent in a day. It would probably have taken twelve months before they could all have been sent out. They had to be selected and approved of by the Agent-General, or some one appointed by him; and he regretted very much indeed that the telegram was not responded to, as he thought it would have been. He had not the slightest doubt that, had that number of properly-selected immigrants been sent to this country, every one of them would have been absorbed, and could be absorbed now, notwithstanding all the outcry that was going on. He regretted exceedingly that the honorable member for Avon should have discovered a "mare's-nest" in this telegram. He (Mr. Macandrew) was as responsible as any one for that telegram. He rather thought it was probably sent at his instigation in the first instance. He certainly had no desire to suppress it. On the contrary, he thought it appeared with the other immigration correspondence which was laid on the table at the beginning of the session. He hoped this discussion would now cease, and that they would go on with the business.

Sir G. GREY thought that, even at the risk of prolonging this discussion, he should be allowed to make a personal explanation. When the honorable member for Avon spoke, he could not help thinking of the discussion that took place the other evening, when a great deal was said about the winds rising and the breezes blowing. On that occasion he was nearly getting up and reciting the old rhyme,—

Cease, rude Boreas, blust'ring railer.

That was the sentiment he felt then. Nothing could be more erroneous or wrong than the statement which the honorable gentleman had just made; and he would answer it in every particular. First, the honorable member implied that he (Sir G. Grey) sent a telegram irregularly to the Secretary of State without its going through the Governor. If that was the case, he would undertake to say that the Governor was not here, that he was in some other part of the colony, or that there was some cause of that kind. Certainly no disrespect to the Governor was intended. The rule laid down by himself and his colleagues was, that New Zealand should upon every occasion set an example to Great Britain, which was at the time involved in considerable difficulties,

and should show her that they were one of the most loyal colonies in her possession, and were prepared to make every sacrifice in the world to promote the welfare of the mother-country. It was said that he could not have felt in that way, because this telegram was suppressed. He had no knowledge that it was suppressed, and he never read the correspondence in relation to it until he saw it printed and laid on the table of the House. He was not aware that the correspondence took place. As Premier, he had nothing to do with the preparing of those papers, and had nothing to do with such correspondence. When they sent that telegram tens of thousands of people in Great Britain were on the very verge of starvation, and some people were absolutely perishing by famine. They thought it was a proper act on the part of New Zealand to say that they would aid their fellow-countrymen, if the Home Government chose to forward them and pay the cost of their passage. Further, they knew that Great Britain was upon the verge of war with Russia at the same moment, and there was very great reason to believe that her supplies of corn would be cut off from the Black Sea. The Government had not laid on the table of the House the telegram—which was sent at the same time as the other telegram—in which they pointed out to the Home Government that New Zealand was prepared to supply 250,000 tons of wheat at a low price—the price at which wheat was selling in the colony—if they chose to become purchasers. They were thanked by the Home Government for that telegram. Not only that, but, when Great Britain was in want of cable communication with South Africa, New Zealand was the first colony to give up her claim to the cable which was coming out here, in order to enable the Home Government to complete its communication with South Africa. The Government ought to be aware of the despatch sent out from the Secretary of State, acknowledging in the handsomest terms the service New Zealand had rendered Great Britain on those occasions. Referring to the telegram respecting 6,000 immigrants, he knew when he sent it Home that the policy on which Great Britain had acted for many years was this: that she would not help people to emigrate from the country. The Government would not pay any money for that purpose; and those who had mixed much among the classes of Great Britain who regulated those subjects well knew that this belief was held by Great Britain: that she required a large pauper population within her limits—that was, a population as nearly as possible approaching pauperism; so that, if at any time there was an improvement in trade, a great number of hands could be found at once to be put into any employment which offered. Great Britain believed that her mercantile supremacy depended upon that supply of cheap labour which enabled her to surpass almost all foreign nations in the market. He believed in his heart, when they made the offer to take those 6,000 people, that the offer would be refused by the Home Government, and that they would not find the money to pay the passage of those immigrants; but he thought it

was the duty of the colony to set a good example, and try to raise Great Britain to a sense of duty. The honorable member for Clive had just made a most insulting remark—a remark unworthy of him. The honorable member made that remark because he (Sir G. Grey) had recently condemned his action in trying to bribe a Native with £1,000, to induce him to sell the interest of his countrymen for that honorable gentleman's advantage. That was a fact. That was not humbug; it was true. He believed in his heart that Great Britain would not have the magnanimity to accept the offer made; but she ought to have accepted the offer. What was done by the Government at Home? They did not accept the offer, but they were ashamed to tell the people who were in such a state of want that they had refused an offer of the kind. They sent round to consult the Boards of Guardians whether they would send out paupers, which was a thing this Government never authorized them to do, and never expected they would do. That was the settled policy of Great Britain. In the case of the Irish famine, which was before the House the other night, what took place? Great Britain would not advance a penny to send those wretched people, who were dying at home, from their country—not a halfpenny. Yet what did the Government of Canada do? They landed upwards of 100,000 people on their shores within a short period, and sent them to distant possessions, where work could be found for the people. Great Britain was true to her policy on that occasion. If she had sent out these 6,000 immigrants it would have been a very good thing for New Zealand. They would have arrived here about the time when the loan would have been raised. They would have been put to work on the public works for a certain number of days in the week, in such a way that they could have settled themselves upon small lots of land, which would have been provided for them. The same line of policy could be pursued in reference to the unemployed in the colony. If this policy were vigorously pursued, if the administration of lands were altered, this difficulty might be overcome, and it would be an advantage to the colony. In no other way could it be made an advantage. If those 6,000 people had come out, they would have brought some capital—to a small amount—with them, and they would certainly have been accompanied by a large number of immigrants of a different kind, who would also have benefited New Zealand largely by the money they would bring with them. No greater or better plan was ever devised; and it was in no respect repugnant or contrary to any statement he made. At that time none of the present difficulties in the colony had arisen in regard to labour. He believed that, if those people had come, those difficulties would have been delayed to a future day. By the alteration he spoke of in the mode of settling immigrants on the land, all difficulties in future might be obviated. In no other manner could it be done; and that must be accomplished, as he had said, by a fair system of taxation, which would touch those who had accumulated large landed properties, to which an enormous value

had been given by money taken out of other people's pockets. In no other way could the country be put into a satisfactory state. He was prepared to meet any number of his fellow-countrymen on this question. He had already had communications from labouring people in many parts of the colony—from the district from which the honorable member for Avon came—in which they entirely appreciated his conduct in reference to the subject, and passed a severe censure on Sir Michael Hicks Beach for not having helped his countrymen. If he had not accomplished anything but this one object, he would have obtained a great advantage for the whole Empire—if he proved, as he did prove, that the British Government would not, under any circumstances of misery among its population, help them to emigrate. In establishing that fact indisputably he had rendered a great service indeed to the people of the whole Empire, for he was sure that now in Great Britain this would be insisted upon: that the furtherance of emigration from her shores should, under certain circumstances, become the duty of the Government of Great Britain—that they should help people to leave the country rather than allow them to perish from famine by hundreds of thousands—he believed a million and a half—as they did in one case in Ireland. That was, to his mind, a brutal doctrine, a brutal rule, to enforce; and the exposure of the fact that under any circumstances the British Government were determined to adhere to that rule was, in his opinion, a great benefit accomplished.

Mr. ACTON ADAMS said that the honorable gentleman (Sir G. Grey) had raised a new political cry—namely, "Charitable aid to England." He stated that hundreds of thousands of people were perishing from starvation in the Old Country, and that the New Zealand Government had offered to take 6,000 of these people off the hands of England. Considering the wealth and commerce of England, and the position she held in the monetary world, it was a most surprising thing that a young colony should be required to propose to hold out aid to her starving people. If the honorable gentleman's intentions were known to those in authority at Home, they must have felt deeply obliged to him for taking part in the government of the Old Country. The honorable member for the Thames condescended to go into New Zealand politics, but it was a wonderful thing that he should also have been prepared to find time to watch over the policy of the Home Country—especially as the Home Country had treated him so badly when he stood for a seat in Parliament in that country. The honorable gentleman said that the mercantile supremacy of England depended upon her paupers. That was a new doctrine. He had never heard it put forward before. He did not think the English people would feel themselves complimented if told that the supremacy of England depended upon her pauperism. The honorable gentleman stated that the Old Country, for this reason, would not suffer her people to emigrate. He must know that the Boards of Guardians at Home had the power to pay the passages of

people out of the rates. They had either to support the poor people out of rates, or, if the people desired to emigrate, pay their passages out of rates. He did not think the working-men of New Zealand would thank the honorable gentleman for the sort of interest he had taken in their welfare. In February last, a telegram was sent to the Secretary of State, asking that 6,000 able-bodied men should be sent out, as they could at once find permanent and profitable employment in New Zealand. On the same date a similar telegram was sent to the Agent-General, asking that 6,000 able-bodied adults should be sent out. On the 28th February a telegram was forwarded to the Agent-General, stating that, should the Colonial Office decline the offer, he was to increase by 2,000 the number of immigrants ordered for the year. Honorable members should bear in mind the time at which those telegrams were sent. If they had been sent in time for the men to arrive in November or December, when harvesting and shearing were going on, there might possibly have been ample room for finding employment for them in this country; but they were to be sent here at a time when the working people could not possibly find employment. The people despatched would have arrived in this colony when there would have been no employment for them. He did not think that was a wise course either for the people themselves or for the colony. If these people had arrived in July or August there would have been so many more thousand people unemployed, and these immigrants would have been poured in in the depth of winter. He did not think the true working-men of the colony would thank the honorable member for the Thames for the action he had taken. The honorable gentleman then went back to the old ground of complaint—the land laws of the colony. If the land laws of this colony had tended to the accumulation of large landed estates, it was particularly those regulations made by the honorable gentleman himself that tended in that direction. It was under the Regulations of 1853 that all the large properties in Nelson, Marlborough, and Canterbury had been acquired. If there had been a necessity for amending those land laws lately, why did not the honorable gentleman, who had been at the head of the Government for some considerable time, endeavour to amend the land laws in the direction he desired? The honorable gentleman had taken no steps in that direction whatever. He (Mr. Acton Adams) did not wish to go further into this matter, as the House was anxious to proceed with the business. He would say that what was wanted in this country more than anything was the means of putting people on the land—far more than grants of land for the people. So far as he had observed in different parts of the country, there was no lack of land, but the difficulty was to place people on the land—to find people who had sufficient means to go on the land so as to use it properly. Under the Provincial Government of Auckland the holders of land orders received forty acres of land in out-of-the-way districts, which they could not occupy. That was simply offering the people a stone when they asked

Sir G. Grey

for bread. It was useless to ask a working-man to go on land until he had acquired sufficient capital to work that land, and until there were means of opening up the country and giving him access to that land. If the honorable gentleman's administration had been in that direction he might have claimed to have done a benefit to the country and to the class for whom he was always speaking.

Mr. BUNNY trusted the House would dispose of this resolution. It should be recollected that this was a private members' day. He hoped the Committee would pass the resolution, and allow the business to be proceeded with.

Mr. SEDDON was rather astonished at the action taken by the Government this evening, and at the way they had dealt with the people of the West Coast with reference to a similar matter. When he spoke to the Minister for Public Works last night about the Hokitika harbour works and about keeping men employed, he was told by the honorable gentleman that he did not think it was the intention of the Government to do anything, though they had previously promised £4,000 as another instalment towards completing the contract. To-night Ministers told the House that they were going to make provision for those who were out of employment; yet, in a case where a large number of people were employed, and where the work was likely to be stopped, no definite answer could be obtained. He hoped the Government would not altogether decide to stop that work. The Minister for Public Works knew that it was a very good case. The House had authorized the expenditure of money for the harbour works at Hokitika. There was a contract under way at the present time. On Saturday last a telegram was received from the Harbour Board, stating that the works were likely to be stopped—that a deputation had been sent to Wellington to ask the Government to allow the works to go on. He trusted the Government would be consistent with what they had stated during this discussion, and that the money asked for would be scattered throughout the various centres of New Zealand, and more particularly the West Coast, to keep those employed in employment, and give the unemployed something to do. With regard to the working-men, they might well exclaim, "Save me from my friends." He did not think the working-men of New Zealand cared to be dragged so frequently before this House. He knew that the majority of them did not. If, through some unforeseen circumstances, a number of them were out of employment, they did not wish employment doled out to them as charity. It was useless talking about putting men on the land who did not know anything about farming. Artisans were the class of men now wanting labour. If due regard had been paid, at the time the public works policy was initiated, to the manufacturing of goods in the colony, there would not have been so many people out of employment—men incapable of undergoing manual labour with the pick and shovel. He hoped the Government would see that the money was judiciously expended.

Mr. HALL trusted the discussion would not be proceeded with further, seeing that there was so

great an amount of work for the House to get through.

Mr. LUNDON failed to see that any good result would be obtained from voting this £50,000 for the purpose stated by the Government. Instead of applying it in the direction indicated, he thought the money ought to be expended in the placing of working-men on land in the country. In the Hokianga District there was a large public estate lying idle: a great deal of the land had been surveyed and cut up into small farms; but when it was offered for sale by the Waste Lands Board they could not get a bid for it, simply because the upset price was too high and there were no roads made to it. Now, he thought the Government could not do a better thing than send a shipload of working-men away in the "Hinemoa" to the northern districts, and he believed that, if they did so, in two or three years these people would be independent. If the £50,000 were applied to finding them employment just now, they would be in the same position three or six months hence. Posts and rails, potatoes and onions, and many other things were at this moment being imported from other countries, whereas they could all be produced in New Zealand if the Government would only assist in placing the people on the small farms in the district from which he came. The Government were bringing out people from Home and setting them down in Dunedin, Wellington, Auckland, and other large towns, and the result was, that they hung about the towns. Objection might be raised to placing mechanics on farms; but he maintained that mechanics would make the best farmers in New Zealand. When a farmer came out from England he forgot the different climate he was in, and went to work in anything but the right way; whereas the mechanic would do what his neighbours did, and would be found generally to succeed. An honorable member of that House and himself had travelled overland from Mongonui to Hokianga. They had dinner at a settler's house on the way, and there was dinner for a very large family. The settler's wife told them that nine years before she and her husband got there with 15s. in their pockets, and, there being no roads or bridges, they were obliged to carry their children on their backs. Now, if the Government would only place people in the Kaitia Valley, which had been surveyed and cut up into small-farm settlements, as well as on lands in the Hokianga District, they should have his vote to keep them in office; but unless they did this they might never count his vote safe for them. What was the use of spending £50,000 in making railways and reclaiming land? All these works were so much wasted when they had the finest country in the world and nobody living on it. Money was wasted in public works, and the towns were made so attractive that people could not be induced to go out into the country districts to settle on the land. That was the cause of the want which was felt periodically about the towns. He spoke earnestly to the Government when he said that they would have his vote to keep them in office if they would allow the "Hinemoa" to

take a shipload of people away to settle in the Kaitia Valley and the Hokianga District, where not a single acre had been bought on account of £1 per acre being the upset price. With these remarks he hoped the vote would be allowed to pass, and that they would have no more of this nonsense about Liberalism in England and in this country. He never yet knew a man to be liberal with his own, but some were very liberal with what belonged to other people. He hoped the Government would carry out this suggestion. If they did, they could calculate on having his vote.

Resolution agreed to.

NATIVE RESERVES VESTING BILL.

Sir G. GREY, in moving the second reading of this Bill, said the object of the measure was to bring the Natives, with respect to their reserves, as far as possible into the position occupied by Her Majesty's European subjects under similar circumstances. At the present time these Native reserves were administered by several Commissioners, who had almost unlimited powers as to the manner in which they might deal with these reserves, being able to exchange them, or to lease them for a period not exceeding twenty-one years. That was a great power to place in the hands of single individuals; and he thought the rights of the Natives under the present system were not properly looked after, but that they should be placed in the hands of the persons proposed in this Bill. The measure was clearly a just one, and would, moreover, relieve the Government entirely from applications by interested parties for interference on the part of the Government to further particular interests. He therefore did not think it was necessary to say any more, and he should content himself with simply moving that the Bill be read a second time.

Mr. BRYCE agreed that there ought to be a change in the present mode of managing these reserves; but he considered that there were reasons why this Bill should not be passed at the present time. The honorable gentleman seemed to think that it would afford relief to the Native Department in respect of its work relative to the disposal of these Native reserves; but, in his (Mr. Bryce's) opinion, if the Bill were passed at the present time the effect would be in a totally opposite direction, and for this reason: that the reserves were at present under the management of people who knew a great deal about them, and if they passed suddenly into the hands of the Public Trustee the applications of that officer to the department for information and assistance would cast a large amount of work upon the department. There was nothing unreasonable in supposing that ultimately the reserves would go into the hands of the Public Trustee, and the sooner that result was brought about the better; but at present there was much to be done in connection with these reserves which could only be done by those who had special knowledge of the subject. The position of the reserves must be simplified, and then legislation of this sort would be desirable. He might point out that the Public Trust Office Act of 1872 made provision for

Mr. Landon

handing over the whole or any portion of these trusts by the Government to the Public Trustee. It would be much better at present to follow out the provisions of that Act rather than pass this Bill, because under that Act a portion of a trust could be handed over, and the portion might be handed over to which no objection would exist—there were many such fit to be handed over to the Public Trustee. The section was as follows:—

"The Governor may, by Order in Council, place in the Public Trust Office any property held in trust for the benefit of private persons, or public bodies, or communities, by the Crown, or by the Governor, or by officers or trustees appointed by the Governor in virtue of any Act in that behalf."

He apprehended that all the honorable gentleman required by this Bill should have been done by the honorable gentleman when in office under that clause, and could have been done much better, inasmuch as the reserves which were in a condition to be handed over could have been separated from those not in that condition, and handed over to the Public Trustee. He was also advised, but he could not speak with positive knowledge upon the point, that there were serious legal complications involved, and if a Bill of this kind were passed without being considered by those who were responsible for good administration, it might lead to consequences not anticipated by the honorable gentleman. Such a Bill ought to be introduced, if at all, by the Government, on its responsibility. Under these circumstances he hoped the honorable gentleman would withdraw the Bill for the present, or, at any rate, content himself with having the principle affirmed, to which the Government would have no objection, provided the honorable gentleman agreed that the measure should not be proceeded with further during the present session.

Mr. SHEEHAN moved the adjournment of the debate for a week, because he thought that those members of the House whose constituencies the Bill more particularly affected—the Maori members—should have an opportunity of making themselves better acquainted with the provisions of the Bill. His honorable friend was not exactly correct in saying that the Public Trust Act applied to all Native reserves. It only referred to reserves held in trust for the Natives by other persons; but the great bulk of these reserves were held by the Natives themselves, with certain restrictions on their right to lease or sell. Those were the cases which the honorable member who introduced the Bill contemplated. There were already a number of trusts held by the Public Trustee, but these were infinitesimal as compared with the whole area. There were reserves at Tauranga, Waikato, and on the West Coast, in which the Crown grants had been made absolute and direct to the persons beneficially concerned; and it was the preservation of these trusts that the honorable member for the Thames (Sir G. Grey) desired to bring about by this Bill. Something of this sort was proposed to be done by the Native Affairs Committee in 1877, when it was proposed that the term of lease should be short-

ened, and that the lands should always be dealt with by public auction. The question involved was a very large one. It was a question as to whether it would be better to adopt the principle laid down in this Bill, or try to induce the Natives themselves to undertake the management of these reserves. He did not profess to say which was the correct mode; but, as to this Bill, he thought the Native members should have more time to consider the provisions—to put themselves in a better position to come to a decision on the subject.

Mr. PITT hoped the debate would not be adjourned, nor the Bill passed. He happened to know something about the Bill and about its origination. He was quite prepared to give the honorable member who introduced it every credit for a desire to benefit the Native race; but he was quite convinced that, if the honorable gentleman reflected, he would see that the passing of this Bill would not in any way effect the improvements he desired to effect, but would, on the contrary, have a prejudicial effect upon Native interests. The honorable member for the Thames (Sir G. Grey) said that these reserves were large reserves made by the Natives themselves. He did not think that was the case. The reserves referred to in this Bill were chiefly in the Provincial Districts of Wellington, Taranaki, and Nelson—in Nelson chiefly. They were the New Zealand Company's tenths, as they were called. In those provinces, one in ten of all sections sold was reserved for the benefit of the Natives; and these reserves, with certain others at Greymouth and elsewhere, which the Natives had themselves brought under the Native Reserves Act of 1856, would be affected by this Bill. The power of dealing with the reserves in the Middle Island was delegated by the Governor to Mr. Alexander Mackay, the Native Commissioner in Nelson, and in the North Island to Major Heaphy. Mr. Mackay had acted as Native Commissioner for the whole of the Middle Island for many years past, and was familiar with the whole of the information connected with these reserves, which had been constantly in his hands. They were held for the benefit of tribes, and not for the benefit of individuals, and very serious complications would ensue if they were handed over to the Public Trustee. He remembered that early in the session a petition was presented by the honorable member for the Southern Maori District, praying that the services of Mr. Mackay as Commissioner should be retained. That petition led him to inquire why Mr. Mackay's services were to be dispensed with, and, as the result of these inquiries, he found that this Bill was to be brought in. He did not think the Bill was the outcome of a desire to benefit the Natives, but believed it was introduced simply for the purpose of magnifying the office of the Public Trustee, and giving more work to his department. He defied the honorable member to point out how the Natives would be benefited by the Bill. Its only effect would be to do great injustice to a faithful servant, who, for a salary of £450, had administered all the reserves in the Middle Island for many years past with

great satisfaction to the Natives. There had been no complaint from them: on the contrary, they had petitioned the House that his services should be retained. The honorable gentleman could not show that any good whatever would result from the Bill. It provided that the Public Trustee was not to delegate his powers thereunder, so that every document would have to go before him at Wellington, the consequence of which would be, that great inconvenience, trouble, and serious difficulty would arise. He sincerely trusted that the honorable gentleman would not proceed with the Bill; and as to adjourning the debate in order to allow the Maori members to to understand its contents, he believed those members were already thoroughly alive to what the Bill meant, and he did not think they would support it.

Mr. SEDDON agreed with the honorable member for Nelson City (Mr. Pitt) that, if this Bill became law, it would give rise to great complications in the Middle Island which would be injurious to a large section of the community. The arrangements made by Mr. Mackay, the Native Commissioner, who had had charge of the reserves for many years, had given the greatest satisfaction both to the Natives and to the lessees, and it would be a pity to disturb the existing arrangements. There were also engagements entered into by the Commissioner and certain public bodies which ought, upon equitable grounds, to be carried out, although they might not be legally binding, and if this Bill passed those claims might fall to the ground. Then, again, the leases at Greymouth would shortly expire, and the lessees would suffer great hardship if the Bill became law before the interests of both parties were properly adjusted. In addition, there was this other consideration to be borne in mind: that the Government were themselves largely concerned in the matter, as land would be required for railway and other public purposes in the neighbourhood of Greymouth, and it would be unwise that obstacles should be placed in the way of the acquirement of this land. The Bill might be required in the North Island; but, as a matter of expediency, it would be better to allow the question to stand over till next session. He was sorry to have to speak against the Bill, but he could assure the honorable gentleman who introduced it that, if it became law, it would create a very serious grievance on the west coast of the Middle Island; and he therefore hoped to see it withdrawn. The whole matter could be gone into during the recess, and next session a comprehensive measure might be introduced which would deal equitably with these reserves and with all persons affected.

Mr. MASTERS would be glad if the honorable gentleman who introduced this Bill could see his way to withdraw it, as its introduction came at a most inconvenient time. In the case of the Greymouth reserves, great interest and anxiety were felt by the Greymouth people in the result of the Commission appointed in February last to inquire into the subject of the Native rights in the Middle Island, and also as to the action likely to be taken by the Government in the matter of

giving Crown titles to the Natives. The speedy settlement of this question was now being urged by the Natives themselves, and, in justice to the European tenants, he thought the whole subject should be very carefully considered before any decided action was taken. Mr. Alexander Mackay, the Native Commissioner, had had control of the reserves on the west coast of the Middle Island from the time they were first occupied by the Europeans, and he consequently understood the peculiarities of each individual case, and was aware that a distinct understanding existed that the leases were to be renewed. In Mr. Mackay the tenants had always considered they had a responsible officer to deal with, and all the arrangements had been made with him in good faith, and in the full assurance that when the proper time arrived their just claims would be fairly considered. As no other person could possibly understand the matter as well as Mr. Mackay, it was most desirable that matters should be left in the present position until the disputed points between the tenants and the landholders were settled. It would be very unwise to have these matters handed over at the present stage to the Public Trustee, to be dealt with in a purely formal and legal manner. The whole question was somewhat complicated. In some instances the original sections had been subdivided and let to sub-tenants, and in making the final arrangements the equitable claims of these sub-tenants would have to be considered. As showing that the tenants had good grounds for expecting a renewal of their leases, he would refer honorable members to a paper laid on the table at an early part of the session. He would only read one clause, asking honorable members to carefully read the whole paper for themselves:—

"The contemplated change in the tenure of the reserves on the West Coast has given rise to a good deal of anxiety on the part of the residents at Greymouth as to the probable effect it may have on their position as tenants; and the general feeling is that, in any measure that may be introduced in Parliament to empower the issue of Crown titles to the Natives, ample provision should be made for the protection of the equitable rights of persons who have accepted leases under the Native Reserves Acts in the full confidence that such mode of occupancy would be perpetuated."

In further proof of this, he would refer honorable members to an exhaustive report by Mr. Mackay, which would be found in the Appendix to the Journals of 1876. After setting forth certain conditions which he thought would be suitable clauses to insert in the leases in certain cases, Mr. Mackay went on thus:—

"Some such terms as the above might constitute the general rules, but many cases would require to be considered separately, and upon other grounds; and it will be especially necessary, in dealing with all existing arrangements, to take each case upon its own merits, and treat it as fairness and equity may require. In the case of the tenants on the Native reserves in Westland, but more especially in regard to the tenantry at

Greymouth, the above rule will have to be faithfully observed in respect of the implied right of renewal, as they have always been led to understand that a renewal of their leases would be granted them, at a moderately increased rent, at the end of the subsisting term, depending on the amount of annual rental hitherto paid. On the faith of this, they have erected substantial buildings and improvements to the value of over £10,000, besides raising money for town improvements. This last expenditure, coupled with the outlay needed for other municipal works, has necessitated their levying a tax equal to 10 per cent. on the annual value of their properties."

He would only trouble the House with one other quotation, as showing the position the tenants themselves had always considered they occupied with reference to this estate. It was contained in the paper to which he had already referred as being laid on the table this session, and was taken from an exhaustive leading article by a local paper on the subject. It was as follows:—

"The application made by the Natives interested in the estate, to have a Crown title issued in their favour, cannot, in justice to the lessees, be given effect to until the interests of the tenants are fully protected, as it would be a breach of faith to those persons who have improved the property by their capital and labour if they were debarred, by the issue of a grant to the beneficiaries, from obtaining a renewal of their leases, to which they are justly entitled, and on the faith of which they have expended large sums, both in the erection of buildings and otherwise improving the estate. Before the present protective works were undertaken by the Government the Town of Greymouth was subject to frequent encroachments of the river, causing considerable damage to the property, and threatening, in the course of time, to sweep away all the most valuable portion of it. The efforts made by the tenants to protect the estate from the river, coupled with the outlay needed for town improvements, have imposed burdensome and oppressive expenses on the occupants. The tenants contend, and very justly, that the increase in the value of the reserve is entirely due to the energy and capital of the European settlers, and that consequently it would be inequitable to apply all the results of such outlay to the future aggrandizement of the Native owners. It is also urged that, as the Government accepted the trusteeship of the property, and allowed large and important interests to grow up, it cannot now relinquish it without prejudicing the equitable rights of persons who have accepted leases under the Native Reserves Act in the full confidence that such mode of occupancy, and the system that gave rise to it, would endure."

It had always been customary to refer matters in dispute to Mr. Mackay for settlement, and numerous deputations had waited upon him with that object. If a renewal of a lease for a long term was asked for, Mr. Mackay's answer was invariably something to this effect: that, although under "The Native Reserves Act, 1856," he could only issue leases for twenty-one years, still it was the intention of the Government to lease this property for the benefit of the Natives

Mr. Masters

in perpetuity, and at the end of the first period there would be no difficulty in getting a renewal. The management of the estate ought to be left in the hands of an officer who was acquainted with the circumstances of the case. He might state that the Town of Greymouth was built almost entirely on this reserve. He hoped he had said sufficient to prove to honorable members that this was a matter of great importance to the inhabitants of Greymouth, and on its proper and just settlement would depend the future welfare of that district.

Mr. GISBORNE approved of the principles of the Bill. With regard to the illustration given by the honorable member for Grey Valley (Mr. Masters), he might say that he (Mr. Gisborne) was lately officially at Greymouth, when a deputation waited upon him which did not at all express the satisfaction in the mode of dealing with the reserve by Mr. Mackay which the honorable member appeared to think existed. The record of that deputation was, he believed, now in the Native Office, and he would like to have the debate adjourned in order that it might be produced. He had also sent a telegram to the Premier on the subject, which was likewise a public record, and it might be produced as well. No doubt Mr. Mackay acted according to the best of his judgment; but the present was not a proper mode of dealing with a large Native reserve, which comprised nearly two-thirds of the Town of Greymouth. What the deputation wanted was, that the reserve should be dealt with according to some known public rule on which they could place reliance. At present they had nothing to guide them, and all depended upon what Mr. Mackay might from time to time decide. The object of the present Bill was that the reserves should be placed in the hands of the Public Trustee, so that it might be dealt with under rules of which the public had some knowledge, and upon which they could rely with some confidence with regard to the tenure of their leases. He hoped the other honorable member for Grey Valley would express his opinion upon the matter; but, as far as he himself had been able to gather from the deputation—and he listened to it with great interest, as it was composed of the most intelligent men in Greymouth—it was of opinion that the almost omnipotent power of Mr. Mackay to deal with the reserve was the most objectionable feature of the arrangement. He was sure they would be much better pleased if this reserve were vested in some public officer, who should not deal with it according to his own will and pleasure, but on a public and uniform basis. The land should be dealt with as were other European reserves, and be put up at public auction at an upset price, and not be leased by private contract with residents in the town. There was, for instance, an education reserve in the City of Wellington, now known as Fitzherbert Terrace. The governors of the Wellington College, having to deal with that reserve, did not enter into private negotiations with persons in the town, but put up the whole reserve at public auction, on certain conditions known to everybody, and thus any person wishing to do so

had a chance of availing himself of those conditions. What he had said with regard to the Greymouth reserve applied, more or less, to all others, and he believed that what the honorable member for the Thames was doing in this Bill would help to place them on a proper and satisfactory basis in the future. Many of these reserves were dealt with in a most unsatisfactory manner, and he approved of the principles of the Bill. He would, however, like to see the debate adjourned, in order that honorable members might gather more information upon the subject, and so be enabled to discuss it better.

Mr. TOMOANA was not at all satisfied in his mind about this Bill, because he did not thoroughly understand the provisions contained in it, and because no distinction was made with regard to the different kinds of Native reserves. That was why he attempted to find out within himself which kind of Natives reserves this Bill applied to. There were several kinds of Native reserves. There were reserves that had been set apart for educational purposes. There were portions of the confiscated lands that had been given back to the Maoris, and which had been reserved. There were also reserves which the Maoris had made for themselves out of the land they had sold to Europeans. That was why he was not clear as to whether this Bill applied to one class of reserves or another. There was another thing he would like to point out: if a reserve were held in trust by one chief on behalf of the whole tribe, and he were to die, how would that reserve be managed, and any money accruing therefrom? He believed the tribe would suffer on that account. He could speak at great length upon this subject, but he would not do so now. He felt very anxious in his mind upon the matter, and therefore he would move that the Bill be read a second time that day six months.

Mr. TAINUI wished to say something on this matter, because it affected the Maori people on the West Coast; and he would second the motion that the Bill be read that day six months. He did not believe that the Maoris of either the Middle Island or the North Island would agree to a Bill of that kind. In the year 1865 Mr. Mackay was connected with the land in question. After he had carefully looked through the European leases on the West Coast, he then went to the Maoris and told them the proper course for them to follow would be to hand over their reserves, and place them under the Native Reserves Act, lest the Europeans should get possession of them. The Maoris took three days to consider what Mr. Mackay told them, and eventually they agreed to it, and they signed a document giving Mr. Mackay power over these lands. In 1866 the same Commissioner returned again to those parts, and he then had full power to deal with these lands. Nine years after that, the Maoris ascertained that Mr. Mackay was mismanaging these reserves, in consequence of which he (Mr. Tainui) sent a petition to the House—that was in the year 1876—protesting against Mr. Mackay's action, and asking for his removal. The Government did not attend to that petition; therefore he sent another one during the following year; and upon that

second petition the Government took upon themselves the responsibility of conducting the affairs of the Maoris in connection with these lands. When he came to understand that the Government were going to act in that manner, he applied immediately for Crown grants to issue; and, upon the Native Minister consenting to that proposal, he came to Wellington, and he held a document in his hand which was instrumental in Mr. Commissioner Young being sent to investigate into these lands. When his application was granted Mr. Young was sent as Commissioner. The late Native Minister would bear him out in this: that the Government had decided upon sending Mr. Commissioner Young, and the Governor empowered that officer to act—to go and investigate these lands, and to say what provisions should be made for the Natives with regard to their reserves. It was clear that that order, which was issued under the hand of the Governor, did away with the Reserves Act of 1856 and subsequent Acts. As soon as Mr. Young appeared on the scene the Maoris at once understood that Commissioner Mackay had no more power. That was why he thought this Bill would never be agreed to by the Natives. What the Natives were applying for now in connection with their lands was, that the Crown grants might be issued to them vesting their rights in themselves. If the members of the House would carefully look over the report of Mr. Commissioner Young, which had been laid on the table, they would find that the Natives had all consented to take the Crown grants. It became very evident after all this was cleared up how the Natives had been badly treated in the Middle Island. The House should understand this: When Mr. Commissioner Young's Court was held over there, and the matter was investigated into, it was ascertained that the Natives were entitled to the Crown grants. Their interests were apportioned to them, and some got thirty acres, and others twenty-five acres, down to fourteen acres. After that inquiry had been made, or in consequence of that inquiry being made, the Maoris found out that fourteen years of the leases had expired, and there were only seven years more to run. The Maoris were very lenient towards the European tenants of their land. The document he had referred to as having come from himself alluded in the 10th clause to former leases, and stated that those leases had nearly run out their term, there only being seven years remaining. The Maoris were in favour of having Crown grants issued to them. They would also consider the question of prolonging the leases, and after the twenty-one years lease had expired they would consent to renew it for twenty-one or forty years more. The Maori would go to the European tenant and carefully talk the matter over with him about renewing for whatever period was required, and as to terms. The Maori and the European could manage between themselves as to the number of years over which the lease should extend—whether twenty-one years or forty years. Should it be decided that the lease was to be for forty years, of course it would be at an increased rent. He must say that

Mr. Tainui

the European tenants in the locality in question had some grounds for anxiety; but still they were more anxious, he thought, to obtain the lands for themselves. He might also inform the House that at one time a Commissioner went there and endeavoured to induce him to part with the land, but he would not agree. The papers relating to the previous transactions in connection with these lands might be seen in the Government offices. The Europeans had endeavoured, by all sorts of means, to possess themselves of these lands; but they had never been able to do so yet: at least, they wanted to get the greater portion of it. With regard to this Bill, he was of opinion that as it was against the Maoris they would receive it very unfavourably. The owners of the reserves were quite satisfied to have the Europeans living there as their tenants, because they derived very much benefit from them in the shape of rent. The County Council there got more from the Maoris than from any other people. The Maoris also paid those Europeans who were employed to protect property against disasters arising from fire. The Maoris also paid several other rates that were demanded from them, and they had contributed about £30,000 towards the river improvements. That was why he said, "Don't let them have this Bill." With regard to the Europeans living on the land at Arahura, the Maoris would treat them fairly when they got a Crown grant. He believed he could induce the Natives there, the owners of the land, to adopt some means by which they would be on good terms with the Europeans, and treat each other well. The Europeans were perfectly well aware that there were some Maoris there who were good-natured. Those who displayed more interest in these reserves than any one else were Europeans who had sub-leased sections seven times. There was an honorable member of the House who would bear him out in that statement. There was a lease granted to a certain Mr. Smith, and it appeared that that gentleman had paid to the Commissioner £5, and the total amount he made out of the section was £85. He knew, also, an individual in those parts who conducted affairs with regard to the Maoris: he paid the Maoris £6 for three sections, and he got £56 out of the transaction. The documents would show that. Several times in the course of the session he had made application to have this Bill brought down, so that he might see what it was like. It was a very injurious measure indeed to the Maoris. About four or five years hence the Maoris would be able to find a proper person to look after their lands. They were looking about now, and were endeavouring to find among themselves a fit and proper person to take charge of those reserves. They did not wish to have the management of these reserves handed over to the Public Trustee or the Commissioner, or any one else. The Maoris knew well that all responsibilities connected with their land would have to be borne by themselves. That is why he said the Bill should be withdrawn. Even with regard to those lands whose owners die intestate, the Maoris would never care to have them handed over.

Debate adjourned.

AUCKLAND COLLEGE AND GRAMMAR SCHOOL BILL.

Mr. READER WOOD, in moving the second reading of this Bill, said it was intended to declare and explain the trusts of the Auckland College and Grammar School endowments, and for other purposes. The necessity for it had arisen in this way: Many years ago, when the present honorable member for the Thames (Sir G. Grey) was Governor of New Zealand, he set apart a quantity of land in Auckland for the purpose of endowing a college and grammar school. That land had become of considerable value, and now afforded a revenue closely approaching £2,000 per annum. These funds were administered by a Board of Governors under an Act passed by the House of Representatives in 1877, who were appointed in this way: Three were appointed by the Education Board, three by the Auckland members of the General Assembly, and one—the Mayor of Auckland—was a member *ex officio*. But it had been found that these gentlemen had not been able to come to any understanding as to what was the meaning of the words “college and grammar school.” The three governors appointed by the members from Auckland in the House of Representatives took one view of the matter, and the three governors appointed by the Board of Education took another view of the matter, while the Mayor agreed with the section appointed by the Board of Education, and these four gentlemen used this trust simply to make the school an ordinary common school—in fact, they made it little better than a commercial academy—while the other side, amongst whom were Mr. Speaker, Mr. Heale, and Mr. Fenton, took a very much higher view, and desired that there should be a college and grammar school at which the higher branches of education should be taught, and that the school should not be reduced to the position of a mere commercial academy. Whatever might be the opinion of this House on the subject, it appeared to him desirable that this trust should, therefore, be more distinctly declared. If it was the opinion of the House that the higher branches of education should not be taught in this school, and that the funds should be made an addendum to the funds for furthering common educational purposes, so let it be declared, and let the governors understand precisely what they were about. There was one other point to which he wished to refer. An alteration was proposed in the manner of the election of the Board of Governors. It was provided in clause 3 that,—

“Instead of three persons to be elected to the Board by the members of the General Assembly as provided by the said Act, there shall henceforth be six persons to be so elected, two of whom shall retire annually, and two be annually elected.”

That was to say, that the whole Board should be elected by one body and not by two bodies. The principle of the Bill was simply this: that this trust should be declared. As to the manner, that was a mere matter of detail which could be settled in Committee, but it did appear to him that a declaration of this kind should be made. He had no personal interest in the

matter. Mr. Fenton had asked him to introduce it. A Bill was introduced last session, but that session was so short and terminated so abruptly that no steps were taken in regard to it.

Mr. MOSS was exceedingly sorry to have to oppose this Bill, but a petition had been sent to him from the governors.

Mr. TOLE.—What names were attached to that?

Mr. MOSS.—The names were J. Logan Campbell, T. M. Haultain, T. Peacock, and J. McC. Clark. The first ground of objection to be taken to this Bill was, that the House had before it no information whatever as to what were the trusts declared when the land was originally granted, and he thought the House ought to know that. The House ought to know what this trust was, before it interfered. The Bill was most objectionable in its main features. The honorable member for Waitemata said the object of the Bill was to enable the governors to have the higher branches of education taught, instead of allowing the institution to become a mere commercial academy. But the Bill did not profess to do that in the slightest degree. Everything mentioned in the Bill was already taught in the school, and the only originality in it was, that it altered entirely the character of the trust by creating foundation scholars. All should pay or not pay alike, and there should be perfect equality. The Bill would have the effect of giving to the governors of the grammar school the whole of the patronage connected with those foundation scholars: thus a most obnoxious and pernicious system would be created, which in the Old Country had led to the grossest corruption, but which, fortunately, had as yet no place in New Zealand. As the honorable member had said, this College was at the present time connected with the common-school system of the province, and a certain number of boys were annually sent there from the common schools. There was an examination every year, held by the officers of the Board of Education, and the boys who were most successful in passing that examination received free instruction at this College. But the House was asked to take away that prize from the boys attending the common schools by entirely disavowing the institution from the common schools of the province, and, in place of those prizes, to set up a system of foundation scholars. It was idle to say that the number of foundation scholars would be increased. It would be found that, as the endowments of the school became more valuable, salaries and expenses would be increased: but to say that the number of foundation scholars would be increased was to say that would happen which was contrary to all experience. No cause had been shown for the intervention of the House on this occasion. He had his own views as to what the school ought to be. He would be glad to see all the lower forms abolished as soon as it could be safely done, and the energies of the institution confined entirely to giving higher education, and if possible without cost, to the best boys both from the common schools and from private schools; but the school would not take that

position under this Bill. If the House consented to this Bill, some ground should be given for it which had not been given up to the present time. It had not been shown that the change proposed would be for the public benefit. He did not hold the honorable member for Waitemata responsible for the Bill. It had been simply put into his hand by two or three of the governors, who wished to carry out their own views; but he hoped the honorable member would see the impropriety of the measure and withdraw it. If not, he (Mr. Moss) would offer all the opposition he possibly could.

Mr. SPEIGHT said there was a large principle involved which ought to settle the question whether the Bill should pass or not. It was simply this: Whether the Auckland College and Grammar School was to become a common school in the fullest sense of the term, or a common school of an exclusive character. That was the principle involved in the Bill. As things now stood, any person who was able to pay £8 a year could send his boy there to be taught the rudiments of education side by side with the other scholars. That was the objectionable feature of the whole thing. If the common schools were to be a success, that could only be done by making them solely to do the work they were intended to do; and when the pupils got to a certain standard they should then be drafted into the higher school. But to allow this school to become a select school, giving primary education open only to the children of persons who could pay £8 a year, would be to act upon a wrong principle. From what he could gather as to what was originally intended, this was not to be a school in which fees were to be charged at all. It was intended to be a free school for children who had reached a certain standard. He agreed with the views of the honorable member for Parnell, and, if he would bring in a Bill which would accomplish his object, he (Mr. Speight) would support it. But by opposing this Bill the honorable gentleman was really opposing the thing he wished to see established. The objections he made to the foundation of scholarships might apply in the case of England, where some peculiar practices existed; but anybody who knew anything about scholarships in this country knew that those objectionable features did not exist here. The scholarships were not made the subjects of patronage to be conferred by "My Lord This" or by "My Lord That," and influential clergymen, who had this species of patronage in their own hands. Here the scholarships had to be earned by merit, and the boys who got them had to prove that they deserved them. He approved of the object of the Bill. The only objection he had to it was, that it did not go to the extent to which the honorable member for Parnell thought it ought to go. Some gentlemen would like to kill the Bill in order to carry out their own views, and make the school a select one for the benefit of a few people. The names quoted in opposition to it were sufficient to prove that the objects held in view in the original trust had not been carried out. He hoped the Bill would be passed, and, if it were found that it did not go sufficiently

far, it could come up for amendment in a future session.

Mr. TOLE hoped the Bill would pass the second reading, if only to affirm the principle that an institution of this character, founded on trust as a free college, should have that principle firmly established. The charge of £8 per head per annum made for fees to gentlemen sending their sons to this institution was a mere nothing compared to their means. Whether the Board of Governors had a right to charge that or not was another question. Looking at what had been done by this very Board which the honorable member for Parnell appeared for, it showed great injustice. He might say that some evening classes were requested to be established by the working young men of Auckland, and, after a good deal of agitation and exhortation, the Board of Governors agreed to give evening classes. But what did they charge?—£15 or £20 per annum to the struggling young men; whilst they themselves had enacted by regulations that they should only charge £8 for their own sons. That was a monstrous injustice. The institution should not be allowed to continue under such an existing *régime*, and, if only to affirm that principle, the House should pass the Bill, in order to stamp out such a monopoly. If those gentlemen desired a common-school education given, it should be given in the common school, and not at the Grammar School, thus having it exclusively for their own families. He hoped the Bill would be read a second time, and in Committee all the objections urged by his honorable friend the member for Parnell could be discussed. As the honorable member for Auckland City East had said, the names quoted by the honorable member for Parnell were sufficient to show that they should have no weight with the House at all. The Board itself was equally divided on this question. There were three on one side and three on the other, and the balance of the voting power was controlled by the Mayor of Auckland, who might be in office this year and out the next; but all the members of the Board of Governors who were best able to deal with the question of higher education, and who could best judge of the functions of the institution, desired the Bill.

Mr. W. J. HURST could not allow the observations of the honorable member for Eden to pass without notice. He thought it was hardly fair that the honorable gentleman should throw out insinuations against gentlemen who were discharging a very important trust with great advantage to the community. If the honorable gentleman had confined himself to the real question at issue, he (Mr. W. J. Hurst) would not have objected to his remarks, because a difference upon that point was simply a matter of opinion. The honorable gentlemen who opposed this Bill said, first of all, that it had never been submitted to them for their consideration. Then it was said that the school was conducted by the members of the Board for the benefit of their own families. He was sure that not one of those gentlemen had either a son or a connection in that institution. He was quite satisfied that Dr. Campbell had no son there. Neither had Colonel Haultain; and a

Mr. Moss

more ardent and intelligent advocate of the cause of education he did not know in the City of Auckland. He therefore thought such aspersions upon persons who had conscientiously discharged a public duty were undeserved. The time might come when the trust would have to be altered; but he certainly saw no necessity for altering it at present. Then, again, it was incorrect to say that this was not a free school. He knew many lads who came over from the North Shore to receive instruction at this school, and he was personally aware that the institution was doing a great deal of good in Auckland. It was affiliated with the New Zealand University, and had sent to that body pupils who had acquitted themselves very creditably. The honorable member for Eden also cast an undeserved reflection upon the Mayor of Auckland, whom he spoke of as a person who came in one year and went out the next. Now, he thought that gentleman occupied a position which should not be despised. His was an opinion which was of some value. He trusted there would be no great haste in passing the Bill. He could not see that it would very materially advance the cause of education. He would like to hear the views of the honorable member for the Thames (Sir G. Grey) on this subject, as they would greatly influence his opinion.

Mr. SWANSON said the question was, whether this school was to be a select common school or not. That was the whole thing put in a nutshell. He believed the honorable member for Parnell was entirely at one with the great majority of the Auckland members that it ought not to be. His whole grievance was about the scholarships; but could not that be remedied in Committee? He (Mr. Swanson) knew that these scholarships had given entire satisfaction, and were a great stimulus to the cause of education in the province. Every one of the boys that went in struggled to succeed; and even if he failed he was a great deal better than if he had never tried. They ought to settle this difficulty at once, and decide that there should be scholarships as at present. But it was a most extraordinary thing that, when there were three men on one side and three on the other, some small consideration—the complexion of the Mayor, or his religion, for he had even heard that remarked upon—should give a bias to the whole College. There was one other matter: that was with regard to members of the House being elected to the Board. He thought it was a mistake that the members of the Board had not been chosen differently. What happened? There was Mr. O'Rorke, who was down in Wellington for three or four months of the year, and who, in his present capacity, was likely to be here longer. There was Mr. Fenton, Judge of the Native Land Court, very often away and not to be got at; and there was Mr. Heale, who was frequently away. The consequence was, that the remaining gentlemen had the whole management of the concern in their own hands. If it was to be a common school, let it be settled so. His own impression was, that that would be a great mistake. It would be a very good thing if many of these youths were sent to

common schools. Their fathers were generally in good positions in life, and they would then pay more attention to the common schools, and would see that proper teachers were provided for them. Their fathers might then get elected upon the School Committees, and they would be better judges of what was required than some of the present members of those Committees, being generally better educated. He contended that all the difficulty about the word "foundations" could be settled at once if it was understood that it meant scholarships such as were now established. As many of those scholarships should be created as the funds would allow, because there could be no better stimulus given to the boys than to offer them such prizes to strive for. He hoped the Bill would pass as soon as possible; and, whatever form it took, let it be defined.

Mr. ROLLESTON thought it would be exceedingly desirable that a question such as that raised by the Bill should be determined in regard to this and other schools of the same character. The relation which such schools should bear to primary schools had been very distinctly laid down by the School Commissioners at Home, and it had been determined that the two should not run into one another. It was wrong to imagine that the primary school led up to the secondary school. The teaching in the latter was mainly different from that in the primary school. The boys who were in the sixth form in a primary school were of an age at which, if they were to go to a secondary school, they ought to have been learning a different class of subjects for at least two years in the primary school. What really guided the teaching in a secondary school was the number of years that pupils were intended to stay and pursue their course of learning. It was idle for those children who were not going to pursue their school-learning beyond a certain time to be wasting their time upon a smattering of the higher classes of subjects taught in secondary schools. It was therefore a great mistake to mix up the two classes of schools. He thought the purpose of this Bill was to define this school as being a higher school—that was to say, a school for the education of those children who were going to pursue their education beyond the time given to it by those who went to primary schools. There was nothing more important for the country than to have the grades of education clearly marked. It was easy to understand why parents liked to send their children to a higher school for the name of the thing, although they did not intend to keep them there to take advantage of the education that the higher forms would afford; but the effect of their doing so marred the efficiency of the school. As far as he could see, the tendency of the Bill was good, and it might be allowed to go to a second reading. He would have liked to have had the report of the Secondary Schools Commission upon the whole of this question, before the House dealt with any individual case. However, he knew this was a vexed question, and for his own part he thought it would be right to give his vote for the purpose of determining the question with regard to this school at once.

Mr. READER WOOD said the honorable member for Parnell, who was the only member who had opposed the Bill, had really proved his (Mr. Wood's) case, because the honorable gentleman had shown distinctly the division that existed amongst the Board of Governors—that there were actually two opposing parties in that Board; and therefore it was absolutely necessary, if the school was to be properly managed, that the House should step in and say what they were really to do. The honorable member said that the gentlemen who petitioned the House on the subject knew nothing whatever of this Bill. If so, it was certainly their fault, and that of nobody else, for the Bill was before the House last session in its present form, and had been again before the House this session for more than a month, and he had no doubt the honorable member for Parnell had sent them a copy. Besides that, the Bill was, he believed, drawn by Mr. Fenton, who was one of their number, and it was also concurred in by Mr. Heale. Therefore the Bill had not been surreptitiously introduced, nor had any attempt been made to pass it without affording everybody an opportunity to learn all he chose about it. Those gentlemen must have known something about it, or, if they had petitioned without knowing anything about it, the petition was certainly not worth much. In moving the second reading, he purposely kept clear of details, because he knew there would be considerable difference of opinion in regard to them; yet the honorable member for Parnell got hold of the word "foundation," and tried to set the minds of honorable members against the Bill because it contained that word. It was true that the word was there, but it had no parallelism whatever with what was understood by the word "foundation" in the schools of England, where foundation scholars were nominated by Mayors, Corporations, and other persons, and there was consequently an amount of jobbery. To show how entirely different from the true interpretation of the word was that put upon it by the honorable member for Parnell, he would read the clause of the Bill relating to these foundations:—

"The appointment of foundation scholars shall be determined by successive competitive examinations, to be held for that purpose at various centres in the Provincial District of Auckland, the nature and scope of such examinations to be prescribed by the Board of Governors."

That showed that nothing could be fairer or plainer than the meaning of the word as it appeared in the Bill. However, as the honorable member for Newton said, the word "scholarship" would have been better, and then it would have been impossible to have had any play upon it. He was glad to see that the good sense of the House would lead it to agree to the second reading of the Bill, and therefore he would say no more.

Bill read a second time.

CHRISTCHURCH DRILL-SHED BILL.

The House went into Committee on this Bill.

Mr. HALL moved, That the Chairman report progress, and ask leave to sit again.

Mr. Rolleston

Question put, "That I report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	18
Majority against					7

AYES.

Major Atkinson,
Mr. De Lautour,
Major Harris,
Mr. Ireland,
Mr. Lundon,
Mr. McLean,

Mr. Pitt,
Mr. Rolleston,
Mr. Wright.
Tellers.
Mr. J. T. Fisher,
Mr. Hall.

NOES.

Mr. Bain,
Mr. Barron,
Mr. George,
Mr. Gibbs,
Mr. Gisborne,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Johnston,
Mr. O'Rorke,
Mr. Saunders,

Mr. Shanks,
Mr. Sheehan,
Mr. Tawhai,
Mr. Tole,
Colonel Trimble,
Mr. Turnbull.

Tellers.

Mr. Murray,
Mr. Stevens.

The motion was consequently negatived.
Bill reported with amendments.

The House adjourned at one o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 6th November, 1879.

First Readings—Third Reading—Consolidated Fund—Lunatic Asylums.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Oamaru Harbour Board Bill, Ashburton County Council Waterworks Bill, Lyttelton Harbour Board Bill, Lawrence Athenæum and Mining Institute Bill, University of Otago Bill.

THIRD READING.

Intercolonial Probate Bill.

CONSOLIDATED FUND.

The Hon. Sir F. DILLON BELL asked the Hon. the Attorney-General, Whether he is aware of the reason why the detailed account of the expenditure of the Consolidated Fund, which, up to the year 1877, was always published in the finance accounts presented to both Houses, is now reduced to only a summary, giving totals under each class; and whether the Government will cause the same detailed accounts as formerly to be prepared and laid before Parliament? He had no doubt the honorable gentleman was aware that the disbursements of the Consolidated Fund were always stated in detail in the public accounts laid before Parliament until the session of 1878. Since then it had not

been done, and therefore it was impossible to trace details which it was often necessary for members to know.

The Hon. Mr. WHITAKER said an alteration was made in the preparation of the accounts in this respect because it was found impossible, if details were to be given, that the returns could be presented to Parliament during the session immediately succeeding the period to which they related. It had been considered that it would be better to condense the accounts sufficiently to allow of their being presented to the Parliament at an early date. That was the impression of the Treasurer; but it would be for honorable gentlemen to say whether they would prefer to have the accounts in a condensed form, and have them at once, or wait for the details, which could not be presented for a considerable length of time.

LUNATIC ASYLUMS.

The Hon. Colonel WHITMORE wished to be allowed to make one or two remarks about a matter somewhat personal to himself. During the debate which took place a few days ago a point had arisen as to whether or not certain necessary arrangements had been made for the comfort of lunatics in one of the asylums—whether, in fact, they had been provided with blankets and warm clothing. He said, at the time that this question was raised, that the passage referred to occurred in a purely departmental report, and that the wants mentioned must have been supplied; but he was not then aware of the particulars of the matter. He had since seen the Inspector of Lunatic Asylums, and had learned that reference was made in the report to the subject owing to a difference of opinion between Dr. Skae and the local officer, and that Dr. Skae had at once ordered 150 new suits to be served out before he left the place. Therefore he was glad to be able to inform the Council that there had been no discomfort experienced by the lunatics, or, at any rate, except only for a very short period; and that any discomfort which had been experienced was the result, not of cruelty, but of a difference of opinion between two experts, the expert in higher authority overruling the authority of the lesser. There had been no single instance of Dr. Skae being refused any assistance in carrying out his duties, and no such discomfort as had been referred to had been experienced for any length of time.

The Hon. Captain FRASER said that if the honorable gentleman had appointed a medical superintendent over these lunatics they would not have been left one day without warm clothing.

The Hon. Colonel WHITMORE said the honorable gentleman was incorrect as to the facts, even in his own part of the country. Dr. Macgregor was medical superintendent, and he understood that that gentleman was a highly competent professional man.

The Council adjourned at ten minutes past three o'clock p.m.

HOUSE OF REPRESENTATIVES.

Thursday, 6th November, 1879.

First Reading—Second Reading—Third Readings—River-
ton District Court—Native Affairs—Minister of Mines
—Lyttelton Police Station, &c.—Agent-General—
Town Boards—Coal Fields—Kumara Reserve—Tere-
makau Bridge—Land-Tax—Native Affairs Committee;
Summoning Witness in Custody—Wellington-Foxton
Railway—Protection of Animals Bill—Onehunga
Water Reserve Bill—Licensing Bill (No. 2).

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

Intercolonial Probate Bill.

SECOND READING.

Hamilton Public Hall Site Bill.

THIRD READINGS.

Waiuku Recreation Reserve Bill, New River
Pilot-Station Reserve Bill, Wellington Harbour
Board Bill, Christchurch Drill-Shed Bill.

RIVERTON DISTRICT COURT.

Mr. H. HIRST asked the Minister of Justice, If the Government are favourable to a sitting of the District Court being held at Riverton?

Mr. ROLLESTON replied that the Govern-
ment did not know enough about the question to
express an opinion at the present time. The case
would be inquired into.

NATIVE AFFAIRS.

Mr. HAMLIN asked the Government, Whether
or not it is their intention to establish a tribunal
for the purposes mentioned in the report of the
Native Affairs Committee of 1876? The report
alluded to was as follows:—

“Inasmuch as most of the Maori petitions
which are being referred to this Committee are
virtually in the nature of appeals from the de-
cision of the Native Land Court, and inasmuch
as this class of petition is likely to be very
numerous in the future, the Committee is of
opinion that the establishment of a competent
Court of Appeal, the jurisdiction of which shall
be confined exclusively to cases dealt with by the
Native Land Court, would enable such petitions
as aforesaid to be dealt with much more intelli-
gently than they can now be dealt with, and
would be conducive to that fair and just redress
of grievances which it is the desire of this Com-
mittee to see secured to the Maori race.

“Resolved, therefore, That the Executive
Government be recommended to take the matter
into its favourable consideration, with a view of
giving effect to the opinion of the Committee.”

He had been requested by the Native Affairs
Committee to ask this question.

Mr. BRYCE was not able to state whether
such a tribunal would be established or not, or
whether a proposal would be made to establish
such a tribunal. It was no small matter, and the
Government had not had sufficient time to con-
sider the subject in such a way as to enable them
to give a definite answer.

MINISTER OF MINES.

Mr. REID asked the Premier, If it is the intention of the Government to appoint a Minister of Mines with an independent portfolio?

Mr. HALL presumed the meaning of the question was, whether it was the intention to appoint a Minister who would devote his time exclusively to the portfolio of Mines, and who would not hold it in connection with any other portfolio. There were fourteen Ministerial portfolios; and it was evident, therefore, that some Ministers must hold more than two. The Government did not see their way to undertake that the exclusive services of a Minister should be devoted to the Department of Mines.

LYTTELTON POLICE STATION, ETC.

Mr. ALLWRIGHT asked the Government, If it is their intention to place a sum of money on the estimates for the purpose of constructing a Police Station and Resident Magistrate's Court at Lyttelton?

Mr. ROLLESTON replied that for some years past there had been an undertaking on the part of the Government to make provision in the direction indicated in the honorable gentleman's question. At the present time the Government had the question under consideration, but they had not determined what course they would take. They quite recognized that a pressing necessity existed, but it was a question that involved financial considerations in connection with the estimates, and it would be fully considered in preparing those estimates.

AGENT-GENERAL.

Mr. GEORGE asked the Premier, Whether or not the Government intend to give effect to the recommendation of the Agent-General, that his designation should be altered to Resident Minister, and that Mr. Kennaway then be styled Assistant Agent-General?

Mr. HALL said that the answer of the Government was, No.

TOWN BOARDS.

Mr. SHANKS asked the Government, If they will be prepared to take into consideration, during the recess, the necessity of providing some means by which provision can be made whereby, in townships with a less number of householders than required by the Municipal Act, those townships may, if they think fit, form themselves into governing bodies, electing, say, five members, to be called a Town Board, to whom it shall be compulsory for County Councils and Road Boards on demand to pay over all revenue collected within the boundaries of said townships, and subsidies as received upon the same? The honorable member for Bruce had just pointed out to him that he had presented a petition referring to the same matter, which showed that, in more than one part of the country, the same thing was being agitated. There were a considerable number of small townships in New Zealand, and in very many cases they were discontented with the action of the County Councils and Road Boards. In a great

Mr. Bryce

many instances the County Councils and Road Boards would be only too well pleased to allow them to guide their own affairs. He hoped the Government would give an assurance that they would make some provision in this direction.

Mr. HALL said the Government were of opinion that the subject was one which deserved serious consideration, and it would have that consideration during the recess. He believed it would be the duty of the Government to bring forward a measure on the subject next session.

COAL FIELDS.

Mr. MURRAY asked the Government, If they will take into consideration measures for the construction of railways, and construction and improvement of seaports, to encourage the development of the coal fields of the colony?

Mr. OLIVER replied that this was a subject in which the Government took a very deep interest. They recognized the necessity of encouraging in every way the development of coal fields, so that the coal supply of the colony might be provided for. It was within the knowledge of the House that a number of railways and harbour works had been undertaken with a view of developing the coal industry. There was a railway from Westport to Ngakawan, constructed at the very large cost of over £200,000. The harbour of Westport had been improved by the Government, and was still undergoing improvement. Greymouth Harbour was also undergoing improvement, and was connected with the coal fields near Greymouth by railway. The Shag Point coal line was included last year by the Government in their schedule of works. The Green Island coal mines were connected with Dunedin by railway, and were in profitable operation. The Nightcaps line, in Southland, was also a coal line, and was being constructed. In the North Island, the Kawakawa line was partly constructed, and the Kamo line was also partly constructed, and both of those would probably be included in the Public Works schedule to be submitted to the House.

KUMARA RESERVES.

Mr. SEDDON asked the Government, Whether they will, without delay, cause to be gazetted the reserves applied for and recommended as an endowment to the Borough of Kumara under "The Municipal Corporations Act, 1876"? A few months ago the reserves alluded to were agreed to by the Borough Council and the Waste Lands Board, and were recommended under the Municipal Corporations Act. Nothing, however, had been done towards having them gazetted. He had been requested to ask the Government if they intended to take the necessary steps to have them at once gazetted.

Mr. ROLLESTON replied that 500 acres were gazetted as an endowment in July, 1879. There had been no further reservation, nor could there be, in consequence of "The Municipal Corporations Amendment Act, 1878."

Mr. SEDDON said the reserves amounted to 2,000 acres under the Act. The Corporation was asking for the balance.

TEREMAKAU BRIDGE.

Mr. SEDDON asked the Government, Whether it is their intention to place on the estimates a sufficient sum to complete the new road and approaches to the Teremakau Bridge? The Government had recently completed a bridge over the river. There was an unexpended balance of the appropriation for the work. It was intended to have an approach to this bridge and a new road, the present road being totally inadequate. He wished to know whether the Government would allow this approach and new road to be constructed.

Mr. OLIVER replied that on the 10th July last an application was received from the Town Clerk of Kumara relating to this road, and the Government ordered an inquiry to be made. The demand could not be complied with, the urgency of the work not being recognized by the Government. Since that time no information had been obtained on the subject.

LAND-TAX.

Mr. SEDDON asked the Government, What is the cause of the delay in not enforcing the payment of the first moiety of the land-tax? The Colonial Treasurer had complained of a want of funds, but a large amount of revenue due from the land-tax had not been paid. What was the cause of the delay? There were two moieties due, and he had good authority for saying that a very small portion of the first moiety had been paid.

Mr. HALL said the present Government was not responsible for the full amount of the land-tax not having been paid. The Act was so worded that it did not afford sufficient time for the necessary preliminary operations before the first day on which the tax became due. The consequence was, that the first half-year's instalment of the tax could not be collected at the appointed time. They were now advised that the Government had not the legal power to collect that instalment. By some persons it had been paid, and by some not. The Government now had the alternative of returning the portion that had been paid, or initiating fresh legislation for the purpose of compelling payment of the remainder. When the Government had arrived at a decision on the subject, they would communicate it to the House.

NATIVE AFFAIRS COMMITTEE: SUMMONING WITNESS IN CUSTODY.

The adjourned debate was resumed on the question, That the gaoler of the Wanganui Gaol do bring George Buckland Worgan, now a prisoner in that gaol, in safe custody to the Native Affairs Committee on Wednesday, the 12th day of November instant, at eleven of the clock in the forenoon, in order to his being examined as a witness, and so from time to time, as often as his attendance shall be found necessary by the said Committee; and that Mr. Speaker do issue his warrant accordingly.

Mr. MURRAY said it appeared to him that, a motion having been brought before the House by the Chairman of a Select Committee, honorable

members had the right to express their opinions upon it, and state whether they would support the proposal or dissent from it. He thought sufficient argument had not been adduced to show why the House should agree to the country being put to the unusual expense of bringing this witness to be examined. The subject required more light to be thrown upon it. It seemed to him to be an attempt to enable evidence to be brought before the Committee for the purpose of being used outside the House; and the House should consider whether the great power the country had placed in its hands should be used for such a purpose.

Mr. HALL might be allowed to state the views which members of the Government individually entertained on this matter. The state of the case appeared to be, that the Committee had power to call for persons and papers, but had no power, without a special order of the House, to summon before it any person who was in custody. They did not agree with the statement that the issuing of a warrant by the Speaker would be a mere administrative act. The meaning of the provision which required the issue of the Speaker's warrant was, that the House had a discretion in the matter, which it might or might not exercise. For the purpose of enabling it to exercise that discretion, there should be some reasons stated by the Chairman of the Committee why this person should be brought before the Committee to give evidence. The Government were of opinion that they should put the most favourable construction upon the proceedings of the Committee, and, unless the facts of the case showed substantial ground to the contrary, the recommendation of the Committee, upon good reasons being shown, should be complied with. He believed it was desirable to assert the principle that the House had discretion in the matter, by requiring the Chairman of the Committee to give some reasons—he need not go at length into them, but should sufficiently state them—to satisfy the House that the proposition was one which the House should agree to. He trusted the House would hear from the Chairman of the Committee some reason why this order should be made.

Mr. MOSS entirely differed from the opinion enunciated by the Premier. He, as one of the Committee, had voted for the resolution. If the Committee thought that a certain course was desirable, it ought to have some weight with the House. The House should assert the dignity not only of the Government, but of the Committee. The Government was in reality only a Select Committee with larger powers, and he did not see why the Government should assume this air of superiority over them.

Mr. HALL never said that the Government should exercise discretion. He expressed their opinion, not as a Government, but as leading members of the House.

Mr. MOSS was not referring to what the Government said, but to what they did. They stopped the proceedings yesterday as a Ministry, and he expected they would have made this a Ministerial question, from the tone they had taken. He was agreeably surprised to find that

it was not to be a Ministerial question. He had no objection to state the reason why he voted in Committee that this course should be taken. He was not sure that any of them were bound to do so, but for his own part he was perfectly ready to do so. The case was simply this: Charges were made—very serious charges indeed—in connection with the purchase of Native lands. The persons making those charges had petitioned the House for redress, declaring that for one technical reason or another they had been unable to obtain the redress sought for in a Court of law. One of the obstacles in their way was the refusal by the Judge of the *habeas corpus* to bring up a witness who was in gaol, and whose evidence was stated to be very important. The reason why he had given his vote in favour of the course proposed was the statement that the evidence of this witness was very material. Whether it was important or not he did not know; but in the interest of every one connected with the purchase, as well as in the interest of the Natives who were making the complaint, it was a quite right and proper course for the Committee to take to get all the information they could upon the question. When they had obtained that information they would be in a position to judge what was the proper course to take in order that the Natives might get the justice they stated they had a claim to, and which they declared they had been balked in getting through technical objections. The Committee would come down to this House and lay before it the result they had arrived at, after getting full information. That was the course they would pursue. They were not investigating this case as if they were a judge and jury. The argument used was, that cases of this kind ought to go into a Court of law. He was not prepared to say that that was not sound. If there was a *prima facie* case it was one for a Court of law to decide, and not a Committee of this House; but, in the meantime, the Select Committee were bound to get all the information they could, and see whether this *prima facie* case existed, and whether the allegations of the petition as to the obstacles in the way of procuring justice were well founded. They were told that this person in gaol could give very important information, and it seemed to him that they would be throwing obstacles in the way, and interfering with the course of justice, if they did not get his evidence, whatever it might be. That was the ground on which he voted in Committee. It was the ground that, he was sure, would have been taken by nine members out of every ten in the House. It would be far better for them, as a Committee, to resign their powers into the hands of the House that appointed them, and ask the House to take up the question and debate it in a full House, than to have their proceedings questioned and interrupted in this way.

Mr. SPEIGHT had no desire to take part in the discussion, but he wished to make public notification of a fact not in accordance with the statement of the Premier to-day. The honorable gentleman now told them that they did not take up their position with regard to this subject as a Government, but as leading members of the House. Yet, yesterday, when the division was

taken as to whether the debate should be adjourned, it was made a Government question. The position taken up by the Government was not then taken up as leading members of the House, but as a Government, and they made it a Government question on the division that took place. The Premier had then told him distinctly that it was a Government question, and thereby caused him to leave the House and not vote on the question, as he had paired with an honorable member who would vote in the Government interest. The honorable member had now taken up a different position. The honorable member for Bruce had stated that some reason should be shown for adopting the course proposed by the Committee. The only reason required was that the witness could not be obtained without a warrant. If that warrant was not an absolute necessity they would bring up the witness without any reference to this House at all. The honorable member for Bruce could bring up witnesses to attend another Committee, at the expense of the country, and not a word would be said about it. They ought to be consistent in these matters. If the Government did not take up a position as a Government in antagonism to the motion of the honorable gentleman, the Chairman of the Committee, why did the Premier, on the previous day, regard this division as being on a Government question, and cause him (Mr. Speight) to leave the House during that division?

Mr. HALL said the honorable gentleman was quite right in stating that he had told him he looked upon the division yesterday as being a Government question. He considered the motion then proposed was of so much importance that it was very desirable it should be carried. What was it? It was a question that the proposal suddenly made for the issue of a warrant should not be decided off-hand, but should be adjourned until to-day. He thought that was, as a precedent, a question of so much importance that he regarded it as a Government question, but it was not on the merits of the proposal itself.

Mr. GISBORNE, as a matter of personal explanation, desired to say that he had not understood the question as being a Government one. Therefore, although he had paired, he had recorded his vote, under the belief that it was not a Government question.

Mr. WHITAKER said he was one of the members of the Native Affairs Committee who voted against this resolution, and, as the honorable member for Parnell had given his reasons for voting as he did, perhaps he (Mr. Whitaker) might be allowed shortly to state his reasons for the course he had adopted. This petition purported to be presented in the interests of a Native named Rora Nonoi, a resident in Hawke's Bay. In the first place, it was not signed by this Native woman, but by a European named Davis. It set forth that Rora Nonoi was the daughter of a Native called Paora Nonoi, who had been dead for some years; that certain transactions had taken place between the person petitioned against and Paora Nonoi; that these transactions were improper, and that Rora Nonoi ought to be allowed some redress. It further stated that she had

Mr. Moss

sought redress in various ways—in the first place, if he recollected rightly, by civil action, and, in the second place, by criminal proceedings. The petition went on to state that the proceedings were frustrated by the non-appearance of a witness named Worgan, whose attendance could not be procured to give evidence. The reason that Worgan could not be procured to give evidence, it appeared, was because he was then in gaol upon a charge of forgery. He was not then convicted, but was in gaol awaiting trial, and the Magistrate held that, therefore, *habeas* did not apply, and Worgan could not be brought before the Court. Since then, it appeared, the man had been convicted, and in proceedings before any legally constituted Court in the colony a writ of *habeas corpus* could be issued. It was agreed by all—more especially by the honorable member for Parnell, to whom he gave the greatest credit for the impartial manner in which he expressed himself against trying a man for an indictable offence before a political Committee—it was agreed that the Committee should confine their inquiry to one point only in that petition, and that was, whether or not that Maori woman had sufficient means to carry on the prosecution. It was understood, nearly unanimously, as it appeared to him, that they should confine their inquiries to that point, and should not, as a Committee, constitute themselves judges in a case in which a charge of having committed an indictable offence was made. He was out of the Committee before it closed one day: at all events, during the time he was away a resolution was carried that four witnesses should be brought down to give evidence on the petition of this man Davie, who purported only to be acting on behalf of Rora Nonoi. At all events, he was told that on the motion of a member of the Committee four witnesses were to be summoned from Napier. The petitioner then requested that two witnesses should be summoned on his side, and he (Mr. Whitaker) was the member of the Committee who moved that those two witnesses should be summoned. When he did so, a member of the Committee made a motion that this Worgan should be brought from Wanganui. He was not aware that either side required his attendance. It was on that honorable member's own motion, and on his own motion entirely, that Mr. Worgan was to be fetched from Wanganui. He (Mr. Whitaker) was not attributing motives to that honorable gentleman, or saying whether he was right or wrong; but it did not proceed from either the petitioner or the petitioner against. As a member of the Committee, he took up this ground: He thought to himself, Here is a petition signed by a European on behalf of a Maori; the honorable member for the Thames (Mr. Sheehan), gave that European a somewhat low character. When the question was put to him, he said that he would have nothing to do with Davie, because he belonged to a class of persons with whom he would not like to have any dealings at all.

Mr. TOLE would like to ask whether the honorable member was in order in referring to the deliberations in Committee.

Mr. SPEAKER replied that previous speakers—notably the honorable member for Parnell—had been allowed to explain the reasons for the course they had adopted in Committee in demanding the production of a prisoner as a witness, and the honorable member for Waipa was only following the same example. The ordinary rule was, that honorable members could not refer to the deliberations in Committee until the report of the Committee was brought up; but in this case, as members had been invited to give explanations, he could not enforce the rule as strictly as he should do under other circumstances.

Mr. TOLE.—Do I understand that both honorable gentlemen are out of order in referring to the deliberations of the Committee?

Mr. SPEAKER.—It is the usual rule not to refer to those deliberations until the report of the Committee is brought up, but, under the circumstances, I cannot enforce the ordinary rule strictly.

Mr. WHITAKER said that when he was interrupted he was going on to state that there had been no request made by the petitioner or the petitioner against that Worgan should be produced. Well, when this motion to produce him came on, he (Mr. Whitaker) opposed it, and, last but not least, he would state the reasons which he urged upon the Committee why Worgan should not be brought down. He recorded his vote against the motion for this special reason: that he did not consider it right that, when a charge of an indictable offence was made against a person, he should be brought before the Committee, and that the power of the Committee should be exercised to compel him to give evidence which could be used against himself. There was an important principle about this which, certainly to his mind, would be violated. He was aware that in extreme cases it could be done, but he could not see that this was an extreme case, or that there was anything to be gained by bringing Worgan before the Committee. He did not think it right that Worgan should be called, and perhaps forced to answer questions which might criminate him, with a lawyer in attendance taking notes and hearing all the evidence. It was not right or fair that that man should be brought here to give evidence the gist of which might afterwards be used against him. It was, in his opinion, a violation of the first principles of justice, and that was the reason why he voted against the motion. But, the Committee having come to that resolution, he thought it would have been better if the man had been brought down. He could not see that there was any harm in his coming here, or that there was any evidence behind which it was not desirable should be given. He thought it would have been better for the Committee to have gone as a matter of course about bringing him down. He had not expected that there would be anything said about it in the House. He was not going to oppose the motion; but, in the first place, his reasons for voting against the motion in Committee were, that he would not be a party to condemning a man out of his own evidence in a case where a charge of an indictable offence was made.

Mr. SHEEHAN said he was averse to taking part in this debate, for the very good reason that he was a witness before the Committee. Therefore he thought he ought not to meddle with the debate. He rose for the purpose of making two corrections in the speech of the honorable member for Waipa. In the first place, he (Mr. Sheehan) was not a party to any agreement that the inquiry should be kept to the one point. He heard nothing of such an agreement. He believed it was the desire of a section of the Committee to ascertain whether this woman had means to prosecute her own case. With regard to Davie, he did not say that he was a man of low character. What he did say was, that Davie came to him, that he knew him to be of the opposite side, and that any evidence which he might give would amount to a breach, to a certain extent, of the confidence of his previous employer. He might or might not be a person of bad character. He did not say what he was. What he said was, that he did not care to have anything to do with Davie, because he belonged to the opposite side, and, acting from the opposite side, he preferred not to hear him, whether coming with a true or an untrue story. He had read through his evidence for correction, and he had not altered a single sentence of this portion of it. It was now in the hands of the clerk of the Committee. He was altogether indifferent as to how the question went; but, for the sake of the person petitioned against, he hoped this person would be produced. So far from it being a breach of justice to produce him, Worgan would have the same rights as he would have before any Court of law, and could refuse to answer any question he pleased.

Mr. WHITAKER.—No, no.

Mr. SHEEHAN said Yes; the witness could refuse to answer a question if he thought that answer would criminate him in an offence against the laws of the country, for which he could be tried. It had so been held in similar cases before. He knew a case where a witness had been told not to give evidence. He felt very strongly indeed that the evidence of this witness would be in favour of the person petitioned against, and perhaps very strongly in his favour; but, being a witness himself, he would prefer to leave the House to fight the matter out.

Mr. SWANSON did not know what the powers of the Committee were; but he had seen that House set at defiance; and a witness called to the bar said he would simply not answer certain questions. That was Mr. Bridges. He (Mr. Swanson) believed there had to be an Act passed to meet the case. Mr. Bridges' lawyers told him not to answer questions, and he did not.

Mr. SEDDON said that, as one of the members of this Committee, the remarks made by the honorable member for Waipa were not altogether in accordance with fact. Davie, the petitioner, was acting as executor under the will of Paora Nonoi, who was Rora's father; and, of course, there being an executor, she could not approach that House, or ask for justice, except through the person authorized by law to act on her behalf. Davie, in the petition, set out that he was the executor

of this girl's father, and was authorized by him to look after his affairs; and that this girl's father was injured very much with regard to this land, which was purported to have been bought by a member of that House; that there were certain conditions attached to the purchase which had not been complied with. Such being the case, the petitioner appealed to that House for justice on behalf of the person for whom he was acting. There had certainly been too much party made of this question. He might say this: that, at the first off-going, as soon as the petition was presented to this House, there was an attempt made to throw it out without any consideration whatever. Strenuous exertions were made to throw it out without giving it any consideration; but no good or sufficient grounds were given why this person should not approach the House, and ask that justice should be done. As the matter progressed, the question came up as to how far they should go in the matter. It was certainly admitted by most of the Committee that perhaps it would be better for the Committee to simply go into the question as to the means of the person who was petitioning—as to whether he had sufficient means to go through the necessary legal procedure to have justice done in the Courts of law. He contended still that, before the Committee could advise the House to go to the expense of furnishing this person with funds, there must be a *prima facie* case made out; and it was with a view to getting evidence to authorize the House to provide the necessary expenditure for the prosecution of this person's claim that the Committee desired to have the evidence of Worgan. That was the ground upon which the Committee asked that this person should be produced from gaol. It was considered that he might throw light upon the subject, and until the evidence of the plaintiff was concluded they could not call upon the defendant to give his evidence. There was a missing link in the plaintiff's evidence, and the Committee wished to have that evidence completed before it came to a decision. He hoped, in the interests of justice, that the House would agree to the production of this person, because this question struck at the foundation of the powers of any Committee. If they were not to be allowed to obtain the evidence they required, he should in future refuse to act on any Committee. So far as he was concerned, he was opposed to the spirit of the petition—he did not believe in the principle of it; but, as it had been referred to the Committee by the House, and as it was necessary to have the evidence of this witness, the House should support the Committee in its endeavour to arrive at a decision on fair and just grounds.

Mr. HAMLIN said that, as he had been appealed to by the Premier, it was only right that he should inform the House of the reasons which influenced the Committee in the decision they had come to. The Premier had fairly stated that the Committee were merely acting under an order of the House, made on the 26th of September, instructing them to assemble as a Committee, with power to call witnesses before them. On the 30th September the following order was also

Mr. Whitaker

issued by the House: "That all public petitions presented last session, and not finally reported on at its close, should be referred to a special Committee." This petition was presented last session, and an abstract of it was made by the present Native Minister. When the case was called on, an honorable member of the House who was a party to the petition was notified that the petition was to be called on on the following day; and he wrote to him (Mr. Hamlin), as Chairman, requesting that all the evidence in the case should be taken on oath. That had been done. Two witnesses had appeared before the Committee, and, being duly sworn, their evidence was taken down by a reporter. Further witnesses were ordered to be summoned—namely, Mr. Sutton's solicitor at Napier (Mr. Cornford), and Mr. J. P. Hamlin, who were both supposed to be able to give evidence on the one side—while three Natives and the petitioner himself were also requested to be present to be examined. In order to make the matter thoroughly intelligible to the House, he would read the petition, which was as follows:—

"To the Honorable the Speaker, and Members of the House of Representatives, in Parliament assembled.

"The memorial of George Davie, of Napier, formerly hotelkeeper, of Pukahu, humbly sheweth,—

"1. That your memorialist knew one Paora Nonoi, an aboriginal native chief, now deceased.

"2. That Paora Nonoi reposed the greatest confidence in your memorialist, appointing your memorialist his attorney during his life, and in his will appointing him his executor, to whom he devised all his estates in trust for Rora Nonoi, the daughter of Paora Nonoi.

"3. That your memorialist was entirely unable to protect the interests of Paora Nonoi during his life, and has been unable to protect the interests of Rora Nonoi since her father's death, in consequence of the insurmountable difficulties surrounding all transactions in Native lands.

"4. That your memorialist is firmly persuaded that for several years before Paora Nonoi's death extensive frauds were being perpetrated by Europeans in Hawke's Bay upon the Natives, which knowledge induced him to accept a power of attorney from Paora Nonoi; and that some of these frauds were more or less under his own observation.

"5. That, on or about the 29th August, 1870, your memorialist saw one Frederick Sutton, then in business in Napier, and now a member of your honorable House, and one George Buckland Worgan, an interpreter, pass his publichouse at Pukahu, at or about midnight, proceeding in the direction of Paora Nonoi's pa.

"6. That the next morning your memorialist proceeded to the pa, and ascertained that Frederick Sutton and George Buckland Worgan had been at the pa during the night, having with them a conveyance of Te Awa-o-te-Atua Block, which they desired Paora Nonoi to sign; that Paora Nonoi was very ill at the time, and not expected to live long; that Paora Nonoi refused to sign the conveyance, and, as has been repeatedly

testified to your memorialist by the Natives present, did not sign, getting up from his bed in anger and going to another part of the whare; that, late in the night, and subsequent to Paora Nonoi's refusal to sign the deed, spirits were served out to Rora Nonoi and her sister—then young girls—and to the other Maoris present, by Frederick Sutton or George Buckland Worgan, or by both of them. Some money was given to Paora's daughter, including a cheque for £25, drawn by Frederick Sutton; and a paper-writing was left by Frederick Sutton, in his own handwriting (which paper-writing is in your memorialist's possession), to the following effect:—

"In consideration of Paora Nonoi having executed a conveyance of Awa-te-Atua Block, I agree to a reserve of three hundred and fifty acres being made.—F. SUTTON. 31st August, 1870."

"7. That on the same night the signature of Rora Nonoi purports to have been attached to the conveyance, although she had no legal interest in the land.

"8. That the signature of one Nikera, an aboriginal native, also purports to have been attached the same night to the conveyance as having witnessed the signatures of Paora Nonoi and Rora Nonoi.

"9. That Nikera and Rora Nonoi both deny all knowledge of having signed any such deed on the night in question, and are positive that Paora Nonoi refused in anger to sign any such deed.

"10. That on the — day of — a conveyance from the aboriginal natives to Frederick Sutton was placed on the register, and subsequently, on the — day of —, a conveyance from Frederick Sutton to — Watt was registered.

"11. That no reservation of three hundred and fifty acres in favour of Paora Nonoi, or any other aboriginal native, was made in either of these conveyances, as contemplated in the paper-writing left with the Natives on or about the night of the 30th of August by Frederick Sutton, when the signature of Paora Nonoi purports to have been obtained.

"12. That your memorialist has had frequent consultations with Rora Nonoi as to what steps she ought to take to punish those Europeans who defrauded her father, and to secure her rights in the estates devised to your memorialist in trust for herself and her children.

"13. That Rora Nonoi, in the hope that she might obtain the assistance of the Crown in punishing those who had defrauded her father, swore an information at Napier, with my full consent and approval, before a Justice of the Peace, charging Frederick Sutton, a member of your honorable House, and George Buckland Worgan, formerly an interpreter licensed by the Government, with having conspired together, on or about the night of the 29th of August, 1870, to defraud Paora Nonoi out of his interest in the Te Awa-o-te-Atua Block.

"14. That a day for hearing the charge was fixed by the presiding magistrate, and summonses were issued against the persons charged, and all necessary steps were taken to procure the attendance of all witnesses necessary to substantiate the charge so brought.

"15. That George Buckland Worgan, one of the accused, was, at the time the information was laid by Rora Nonoi, in prison at Wanganui, awaiting trial on a charge of forgery, and his attendance at Napier could not be obtained. Application was then made to a Judge of the Supreme Court at Wellington for a writ of *habeas corpus* to bring the said George Buckland Worgan to Napier. This application was, however, refused by the Judge presiding.

"16. That, in consequence of the difficulties thus raised, Rora Nonoi was unable to obtain an opportunity to prove the charge she had sworn to against Frederick Sutton and George Buckland Worgan.

"17. That George Buckland Worgan has since been convicted of forgery, and sentenced to imprisonment for a term of two years.

"18. That Rora Nonoi is advised that, if she commenced proceedings afresh in the Police Court, a writ of *habeas corpus* might be obtained to bring George Buckland Worgan to trial at Napier. But about this there seems no legal certainty; and the proceedings necessary to ascertain this fact are of so costly a nature, as Rora Nonoi has already ascertained, as to be quite beyond her present means.

"19. That, under all the circumstances of the case, your memorialist has determined to approach your honorable House, Frederick Sutton being a member thereof, on behalf of Rora Nonoi, praying that your honorable House will make full inquiry into the premises herein, and will see fit to join in a humble memorial that the Crown may be pleased to prosecute all parties who, on inquiry, may appear to have been guilty of gross fraud upon the deceased aboriginal chief Paora Nonoi; and that your honorable House will be pleased to recommend that such assistance should be given to Rora Nonoi as may enable her to ascertain and protect her surviving interests in landed estate as to your honorable House may seem meet.

"And your memorialist, as in duty bound, will ever pray."

"GEORGE DAVIE."

Honorable members would be able to gather from the statements in the petition that Worgan would be an important witness, and that he should be brought before the Committee to state whether such a deed was interpreted by him, whether he interpreted it rightly, and whether these signatures were rightly obtained. If the House in its wisdom refused to pass the motion, the evidence would not be obtained, and the matter would remain where it was. He was not prepared to say whether the House would take that course; but he might explain that he had no feeling whatever in the matter. As Chairman of the Committee, he had acted in accordance with parliamentary practice in bringing forward the motion. There was nothing underhand in the matter, and, for his part, he cared not whether the House agreed to the motion or not. He merely desired that the Committee should be placed in a position to arrive at a fair and impartial decision.

Mr. MOORHOUSE was not sorry the debate had taken place, because it had opened out the fact, he was inclined to believe, that they were

Mr. Hamlin

really a tribunal without sufficient authority to issue a writ of *habeas corpus* compelling the attendance of a witness before a Committee. He thought it was his duty as a member of Parliament to tell the House that, as he was advised in law, the writs of that honorable House, as signed by the Speaker, would be of very small value indeed, and he availed himself of the privilege of Parliament to state that if a writ of that sort were addressed to him as a common gaoler, or in any other capacity in which the writ might be supposed to have effect, he would have very little hesitation in disobeying the order. He did not now speak as a lawyer, but as advised in law in holding that view of the case. He had a strong objection to obtruding legal opinions upon the House, but he felt seriously that the time had arrived when the forms and procedure of the House should have the undoubted sanction of the law—when its writ should run supreme over all other processes whatever. It was quite time that this High Court of Parliament should be something more than a sham, and be a real Court of legal jurisdiction. He confessed that his sympathies were with those honorable gentlemen who objected to the action of the Committee—who were charged specially to represent the House in the investigation of matters referred to them—being interfered with by the House itself or by the Government, acting, not as a Government, but as leaders of the House, as stated by the Premier. He might say, generally, that this House ought to pay the very greatest respect to all communications of opinions emanating from that bench. Honorable members were bound to be very much obliged to any Government who took upon themselves the very high responsibility of advising and leading the House, because they occupied a position before the House and the country that brought upon them an amount of labour which was not the lot of private members of the House. But, while giving the honorable gentlemen occupying the Government benches the greatest possible credit for indicating their view with respect to the proprieties of the House, still, on principle, he thought it was wrong that the labours of a Committee, having to investigate a grievance, and which was relieving the House of work, should be interrupted by such a debate as had taken place on the previous day and that day. It was a pity to degrade those gentlemen in the face of the country and hurt their feelings by such delays as this. He trusted the few words he had very reluctantly spoken on this matter would be remembered by His Excellency's Advisers, and would be borne in mind by honorable gentlemen who had the interests of the high tribunal of Parliament at heart, and that before long an inquiry would be instituted to ascertain whether or not it was possible to make the writ of the Speaker run as certainly and as conclusively as the writ of the Chief Justice.

Mr. ORMOND would rather not have said anything upon this subject, and would not now speak but for the statement made by two members of the Committee, he also being a member of the Committee. The Chairman of the Committee, in bringing the subject before the House,

led the House to understand that the Committee had been unanimous, with one exception, in desiring that this witness Worgan should be brought down to give evidence. That was so far correct; but he wished to guard himself against being supposed to accede to the course the Committee was now adopting. The honorable member for Hoki-tika (Mr. Seddon) also told the House that a section of the Committee had desired that the Committee should not proceed with the investigation of this subject. That also was correct. There was a section of the Committee who took the view that, considering the opening of the case and the mode of procedure, the body which was hearing the case was not so constituted as to be a fair Court to hear the case it was investigating. He (Mr. Ormond) had stated that very distinctly. He said before the Committee that his opinion was, that the Committee was so constituted as to be an unfair tribunal—that, being a political Committee, it was an unfair tribunal. For that reason he was very strongly of opinion that such a case should not be handed over to such a tribunal. Therefore the honorable member for Hokitika was not right in saying that the section of the Committee who objected to the investigation being conducted in that way did not give proper grounds for their objection. He thought also the Chairman rather led the House to a wrong conclusion by saying that the Committee was unanimous on the subject. The honorable gentleman was technically right with regard to this particular person being sent for, but what he said conveyed to the House the impression that the Committee was unanimous in thinking that this and other witnesses should have been called to give evidence. He would like to tell the House how this case first started, and how it went on in the Committee; for it was to him conclusive evidence that the Committee was perfectly unfit to deal with the question it was investigating. He was a pretty regular attendant of the Committee, and gave all the time he could to it. There were many other members belonging to it who only went to it occasionally, and others again who only attended when some question in which they were specially interested was under consideration. In that way the Committee was often peculiarly situated. When this case was first brought before the Committee he was not present, as he happened to be engaged on another Committee, and there was only a very small Committee present. On looking at the records he found that the first thing done was that the petitioner—this person Davie—the Native woman, and two other Natives were summoned by the Committee, at the expense of the colony, to give evidence. The practice of the Committee had hitherto been that persons petitioning should come at their own cost prepared with the evidence necessary to support the allegations of the petition; but in this case a very unusual course was taken, and the colony was put to considerable expense in bringing down the petitioners and witnesses to support the petition. On the next occasion on which the petition came before the Committee he moved a resolution to the effect that this case was one which ought to be dealt with by the ordinary Courts of the

colony, and could not properly and fairly be dealt with by the Committee as constituted. That resolution was, he thought, supported by four members of the Committee. An amendment was moved—by the honorable member for the Thames, he thought—that the Committee should proceed with the investigation of the case. A further discussion of the matter was then held; and the honorable member for Waipa was wrong in conveying to the House the idea that the Committee came unanimously to the conclusion that it would only so far investigate the matter as to see whether there were *prima facie* grounds for the case, and also whether the petitioner was in a position to press his or her case in the Courts of the colony. When the section of the Committee with which he was acting failed to get the Committee to agree that the case was not one which the Committee should investigate, they then endeavoured to so direct the Committee as to limit its action, first, to finding out if there was a *prima facie* case at all, and, next, whether the man or woman had means to press his or her case in the Courts, and, if not, whether it would be fair to provide for their doing so. He and those acting with him failed there again, and the Committee proceeded with the investigation. And those proceedings, so far as they had gone, clearly entitled him to say that the Committee was absolutely investigating the whole case, and going into all the evidence they could get. The examination-in-chief of Mr. Rees, who appeared as a witness, and who was solicitor to the petitioner, went into everything with regard to the case. He was very strongly of opinion that the House was not treating such a case fairly when it removed it from the Courts of the colony and tried it in a party manner, as in this instance. That was a very wrong proceeding, and he was glad the matter had been brought forward, so that the House might know that such was the course which was being taken. There were two persons—one a member of the House—who had been charged with criminal action in this case. The history of the case had been given to the House, and the statement made was correct, that the proceedings were stopped in the Court on the ground that this witness Worgan was not then forthcoming; but a wrong impression was left on the minds of honorable members as to Worgan's evidence not being obtainable in the future. As he understood, Worgan could not go and give his evidence owing to the Judge refusing to grant permission, on the ground that, as the man was about to be tried for an offence, it would be unfair to him as a prisoner to cause him to go away on other business from the place at which he was, and thus take from him the time necessary for preparation of his defence. But those circumstances had now passed away, and there was no doubt that this witness could now be brought before the Courts of the colony. So that there were no reasons why the Courts of the colony should not now deal with this case, because the sole bar to this person giving evidence had been taken away. He had now stated to the House the main points in this case, and he might add that there was not before the

Committee any evidence at all as to the *bona fides* of the case. In the proceedings before the Committee some very curious disclosures were made. All they knew was this: that the petition came from a person of the name of Davie. Well, there had been some question about this man's character. He knew very little of him, except by name; but he knew that in the part of the country from which he came he did not bear a character of good repute, and it came out in the inquiry before the Committee that this person was, to a certain extent, in the employ of the solicitor who was advancing the case on behalf of the petitioner. The common report in Hawke's Bay was, that this person lived by connection with what was there known as the Repudiation Office, and he was the reputed petitioner in this case. He did not know whether that was so or not; but it came out in the examination before the Committee that Davie had within the last two years received £300 from Mr. Rees, who was the solicitor to the petitioner in this case. He admitted having been paid sums to that amount. Therefore there did appear some foundation for the report, which was believed certainly at Napier, that this person was in the employ and pay of the Repudiation Office. So far, then, Davie was nominally the petitioner; they did not know how far he authorized, or was authorized in, making this application. Then, with regard to the woman, this came out in the examination the day before yesterday: that when the criminal prosecution was commenced against Mr. Sutton this woman did withdraw it, and declare that she had never authorized it. And then this further curious disclosure was made: that this woman had been got to do this by being taken into the office of a gentleman who was known as one of the most respected members of his profession in Napier, and there, in his presence, in the presence of an interpreter, was tempted by money put upon the table to sign this paper. Now, he knew the solicitor, and he knew the interpreter, and they were both gentlemen of high character, and he believed that statement to be absolutely false and untrue. Therefore, seeing that this woman had on one occasion admittedly withdrawn her proceedings, and declared that she never instigated the solicitor professing to be acting for her, and seeing that she was now one of the parties addressing the House, he thought the House should proceed with great caution in this matter, and doubt its *bona fides*. He very much doubted its *bona fides*, and until these people were brought down to Wellington, and it was really known whether they had authorized the proceedings or not, he was of opinion that the whole inquiry was going beyond its proper limit, and that they should at any rate have ascertained first the *bona fides* of the case. He did not want now to say more about this matter, but he would like to test the opinion of the House upon the question of whether matters of this kind, which might be said to be under the consideration of the Courts of the colony, could be and ought to be handed over to political bodies such as the Committees of the House to be dealt with. If they proceeded in such a direction, they would be

giving opportunities to designing persons to take advantage of others to a most unfair and disastrous extent; and if they once let in cases of this kind—once allowed a precedent to be established—there would be no limit to the unfairness to private persons which might be permitted. He would like to say one or two words about the constitution of the Committee. He said, with all respect, that, in his opinion, the Native Affairs Committee was not a fairly-constituted Committee in the acceptance of the term between parties in this House. He did not hesitate to assert that he could go into that Committee and say what would be the verdict in almost any case that would come before it. He regretted to have to say this, but he did say it. Its past proceedings had borne this out, and also that the Committee was eminently unfit to be intrusted with duties such as had devolved upon it on the present occasion, and such as the House was asked to continue to remit to it. He did not exactly know what the motion before the House was. He understood it was, that Worgan be summoned. He voted for that motion in the Committee because other witnesses had been summoned; and, as the Committee was going into the whole matter, he did not for a moment desire to lend any assistance towards stopping full inquiry; but, on the other hand, he wished to so put the case before the House that this inquiry might be limited, so that the Committee might not be made use of for getting out evidence which might be afterwards used against persons who might be put upon their trial before the Supreme Court. That was one thing he should like to get done; and another thing he should like was that the Committee should be prohibited from pursuing this matter further until they had ascertained whether this case was *bona fide*, and properly authorized, and that the persons who were alleged to have petitioned were really the persons who had authorized the proceedings. He should like to move a motion which would give effect to those views; but he was in this difficult position, that he did not want to stop Worgan being brought here, while at the same time he desired to take such action as would test the opinion of the House as to whether this Committee should be allowed to go on in a course which he considered eminently unfair. He would be glad if Mr. Speaker would kindly tell him how to shape his action, in order to test the opinion of the House on this subject. He was sure the House would agree that it was a proper thing to have submitted to it, and it must be brought forward at once, before the matter went any further.

Mr. SPEAKER said, if the honorable gentleman wished to move an amendment which would not supersede the original motion, his better course would be to give notice of a motion to instruct the Committee in the direction he proposed.

Mr. ORMOND asked if he should be in order in moving that the warrant summoning this person before the Committee be not issued until the Committee had reported to the House whether they found the petition to be *bona fide*; and he would also add that it be an instruction to the

Mr. Ormond

Committee to limit their inquiry to ascertaining first the *bona fides* of the petition, and next the point whether the person had the means for prosecuting a case. If in order, he would submit a resolution of that kind.

Mr. SPEAKER said such an amendment would be in order.

Mr. ORMOND would, then, move, That the Speaker's warrant do not issue until after the Committee has reported whether they are satisfied that the petition is authorized by the Natives concerned; also, that it be an instruction to the Committee to confine the inquiry, until after reporting again to this House, to ascertaining whether the petitioners are in a position to prosecute their case in the ordinary Courts of the colony.

Mr. KELLY seconded the amendment. No matter what course the Committee adopted, whether it had exceeded its functions or not, the House, he thought, would be bound to give effect to its recommendations that witnesses should be produced. That was one point in the case. Another point, and one which was of more importance, whether they issued the warrant for this person's attendance or not, was this: Should Committees of the House be allowed to incur any expense they thought proper in summoning witnesses from different parts of the country, without the direct authority of the House? He thought that, before they went any further this session, the Government should bring down a resolution dealing with this matter, providing that no Committee should be allowed to incur any expense whatever on account of private petitions except by the authority of Mr. Speaker or a resolution of the House; because, if the expenses of witnesses were to be paid to support the petitions of persons who might choose to petition the House, there was no telling what expenditure would be incurred on this account. The question ought to be dealt with at once. As to whether a witness examined by a Committee could be compelled to answer questions that would criminate himself, that was decided by the Privileges Act of 1875. That Act declared that such witnesses had all the immunities of witnesses in the Supreme Court; and, if in the Supreme Court a witness thought that to answer a question would criminate himself, he might decline to answer. Then, if the House did not know whether Worgan would answer the questions put to him, what was the use of taking any further trouble? But, as the Committee had asked to have the prisoner brought before them, the House ought to grant the request, because no obstruction should be put in the way of getting witnesses to substantiate statements.

Mr. DE LAUTOUR thought it was unfortunate that it was within the ruling of Mr. Speaker that the honorable member for Clive could be allowed to make statements upon evidence and matters which had transpired before a Committee of the House on a case not yet completed, not in explanation of his own conduct or his own vote. The honorable gentleman had placed the House in an unfortunate position, because, although these statements were put forward in the House,

honorable gentlemen were not in a position to know whether these statements were true, whether they were refuted, or in what direction they might be explained by the context of the evidence if it were before the House. But a few of the statements made in the House, of his own knowledge, were not in accordance with fact. It had been said that a sum of £300 had been paid to this man Davis by the counsel for the Natives concerned in these cases.

Mr. ORMOND had not said that. What he had said was, that Mr. Rees had stated in his evidence that a sum of £300 had been paid to this man by him in connection with various Native matters.

Mr. DE LAUTOUR said that was not correct; it was not even in accordance with the evidence. The fact was, the payment of the money concerned had nothing to do with Native services, so far as either Mr. Rees or his office was concerned. The money was paid on behalf of third parties, but, for the sake of convenience, was paid through Mr. Rees. That was the evidence brought forward; but, as their labours had not yet concluded, the Committee would no doubt feel it their duty to recall the witnesses, and ascertain more clearly the actual facts. As to the facts alleged in the petition, he was going to make himself responsible for them. He considered that any member who presented a petition should satisfy himself of the *bona fides* of the statements; and he had satisfied himself of the *bona fides* of the statements before he presented the petition. It was true, as he had been informed, that some honorable members of the House—among them the honorable member for Bruce—had been exerting their intellects during the last few days to impress upon his (Mr. De Lautour's) fellow-members that he was an articulated clerk in Mr. Rees's office, and therefore that he was not to be believed—that his word was not to be taken in regard to these transactions. It was quite true that Mr. Rees had been good enough to enable him to endeavour to enter a profession in which his friends had told him he might possibly be useful; and it was true that, owing to the restrictive nature of the barbarous laws which existed in the colony, no man, however capable he might be thought to be to take a position in that profession, could do so without first entering articles. The offer that he should be articulated came with perfect kindness and good-will on the part of Mr. Rees, and the arrangement was entered into with honor both on his part and on that of the late honorable member for Auckland City East. There was nothing in his connection with Mr. Rees and his office of which he had, or ever should have, any occasion to be ashamed. But the position he occupied placed him in possession of all the facts which he was about to make use of in regard to this matter. First, he would say that the statement that Rora Nonoi withdrew the charge of conspiracy against Frederick Sutton and George Buckland Worgan was not true. The case came on in its ordinary course at the Napier Court. It had been adjourned because the application for the *habeas corpus* was pending before the Judges in Wellington. That application, as

the House knew, failed, but it was some time before the Judges could go into it fully, and it was some time after that before their decision on the point was known. He did not think that any honorable member was justified in saying that the grounds on which the *habeas corpus* writ was refused were confined to the single fact that Worgan was awaiting his trial. That was one of the facts, but he did not think any honorable member had a right to say that the judgment of the Supreme Court Judges was influenced or decided by one fact. There were no reasons for that assertion. The grounds on which the Judges decided were no doubt known to themselves, but there had been no public record of the judgment or their reasons for arriving at their judgment, and no one, although the House had had a statement from the honorable member for Clive that a writ of *habeas corpus* could now be taken out, could have any justification for saying that the Judges would think of granting it, or would be bound to grant it, or would be in a legal position to grant it. There had been no such ruling from the Supreme Court Bench. The petition asserted that Rora Nonoi had no means of renewing a prosecution which she already knew to be so costly. She did not withdraw the information. It was adjourned from day to day, awaiting the decision of the Judges, and, when at last the Judges decided that Worgan could not be produced, the case was merely called on, and it lapsed for want of the appearance of the counsel for the prosecutrix, and he did not appear because it was not necessary for him to appear, as the prosecution could not be carried on in the absence of witnesses. He (Mr. De Lautour) was in Court, but, having no legal status, could say nothing before the magistrate. Mr. Rees was in Gisborne, and would have come down, but it would have been useless. However, Rora Nonoi never withdrew the charge for conspiracy. It was dismissed by the magistrate.

Mr. ORMOND had merely stated what came out in evidence. He had no knowledge of the matter himself.

Mr. DE LAUTOUR could not say what the evidence was, until the evidence was before the House. The great argument of the honorable member for Clive was that, where a case was once brought before the cognizance of the Courts of the colony, it should not be brought before the House; and, as a rule, he (Mr. De Lautour) quite agreed with the principle. There could be no doubt in the mind of any honorable member that this case was not before the Court. Certainly Rora Nonoi might have brought her action again; and he was justified in saying this much: that, although the Natives had never paid anything yet for the legal services rendered to her, although she had no means of paying anything, her counsel would a second time have endeavoured to get her rights vindicated by the prosecution of the people who she thought had injured her, but he would not press her to go on, any more than he had in the original case pressed her. On the contrary, the prosecution was in the original case kept back, and he (Mr. De Lautour) might say, further, that no cases of

criminal informations were sworn by Natives in connection with Mr. Rees's office without first seeking not only the wishes of those who were concerned in the information, but also those of the chiefs of hapus—in no case was the prosecution entered upon simply on the solicitor's own will or idea. On the other hand, neither was there reluctance on the part of the advisers, so far as criminal cases were concerned, when a prosecution was determined upon. Now, what were the special circumstances in this case which rendered it an exception to the rule which he admitted, that cases which could be dealt with in the Courts of law should not be imported into the House? First of all, this was a matter connected with the Natives; secondly, all ordinary means had been exhausted; and, thirdly, the petition stated that the insurmountable difficulties of the law had prevented it being gone on with. These were the three reasons. Then the House had heard that the Committee should be confined simply to inquiring whether the petitioners had the means of prosecuting the case or not. He held that, when a petition came to the House and stated that, from the insurmountable difficulties of the law, it was impossible for the petitioners to get justice, it was the duty of the House and of all its Committees to inquire why these difficulties were allowed to exist, and to take steps to remove them from the Statute Book. With regard to the petitioners being Natives, the difficulty was this; and it must be faced by the House and the country if ever a settlement of these Native difficulties was to be accomplished: The Natives could not get lawyers to take up their cases for them. The Natives were not in a position to pay counsel. Natives had large possessions: they had land, but no cash; they had no means whatever to pay for the advice which they must have if they were to go to the law-courts. As the honorable member for Ashley had said, lawyers liked their fees; and for that reason alone the lawyers would not touch Maori cases if they could help it. Neither would a lawyer who had a good conveyancing business as well as a Court business undertake Native cases, because doing so damaged his European business. He did not know a single firm of long standing south of Auckland that would take Native cases, except one in this city—that of Izard and Bell. There might be others, but he did not know that there were. Lawyers would not take those cases; and not only that, but they would not assist to any great extent their professional brethren who had those cases in hand. To prove this, and state what was a fact, he must allude to another case which was also prosecuted by the counsel for the petitioner. That was the case which had created some stir in another Chamber. When the case was put down for hearing before the Resident Magistrate in Wellington, it was necessary that some counsel should appear in order to ask for a formal adjournment, the prosecutor being detained by floods at Gisborne. The Crown Prosecutor, Mr. Bell, had to advise counsel that, being Crown Prosecutor, he did not see that he could take any further steps in the

Mr. De Lautour

matter. He was then asked to see some professional man in Wellington who would make this formal appearance before the Resident Magistrate and ask for an adjournment, which could not be refused. What was the answer from the central city of New Zealand, where they might think there was a professional staff ready at any emergency for any business that might turn up? The answer was that, unless £25 were sent up by telegram, no professional man would appear: and then only one would appear. Only one professional man in Wellington would run the risk of the contamination of coming into contact with a Native case so far as to ask for a formal adjournment, and then only if paid £25. He (Mr. De Lautour) wired that £25, and the appearance was made. In the face of these facts, to say that the Natives should go to the judicial Courts, that they had their remedy there, was mocking them. They had no Bar yet that would take up Native cases and prosecute them in the interests of the Natives. The Bar could not afford to do it if they had any business with European clients, and there was no advice possible for Natives in the Supreme Court. There might be a few instances, but the House would find that counsel who undertook Native cases, except on special retainer for legal argument, did so either because they were actuated by a wish to see justice done to the Natives, or because for the time being they had no fixed business. It was impossible for men in those circumstances, with the innumerable difficulties that occurred in the Courts in connection with Native title, to carry on cases for a succession of years with any success, when they were not able to reap the ordinary emoluments which the profession expect. There was another consideration which the House should bear in mind in regard to this being a matter in which Natives are seeking justice. It was the first function of this Parliament to protect the aboriginal inhabitants of the colony against injustice. That was a function they should be particularly jealous to exercise, because they, as a Parliament, had always been looked upon with suspicion in the exercise of that function. It had always been a cardinal feature in the instructions to Governors that they were to watch them—that they were to give assent to no laws which would in any way inflict injustice upon the Natives of the colony. Therefore, as a Parliament, they ought to take special care that they gave no ground of colour to the suspicion which was born of the knowledge that men always acted for their own interests, and which was justified by that knowledge. They should be particularly jealous to prove that in the case of New Zealand it was unfounded—that the people of New Zealand through their European representatives would allow nothing which would in any way give ground for saying that they, as Europeans, would legislate in their own interests, and refuse justice in the case of their Native fellow-subjects. He would like to have heard before this, from a member of the Government, that they did not wish for any more reasons. He said yesterday, when this matter cropped up, that he thought they should not be put into the position here of having to state before the House

a case on its trial in order to give the Government sufficient reasons to order that Worgan be brought up. But they were met to-day with opposition from the leaders of the House, who said they must have reasons. They drove those who took the Natives' side in this matter into a position from which they could not escape, and made them state—imperfectly as they were able to do on the spur of the moment—the grounds upon which this inquiry was justified, and upon which this man's evidence should be produced. He had no wish to be driven into that position, and he did not wish to be driven into it now. If honorable members on the Government benches would withdraw their opposition to the order for the witness to be produced—

Mr. ROLLESTON.—We never opposed it.

Mr. DE LAUTOUR.—The Premier, as leader of the House, said he must advise the House not to consent until reasons were given. He could not tell whether the honorable gentleman was now satisfied that sufficient reasons had been given. If the Government were satisfied that the Chairman of the Committee had given sufficient reasons why his request should be complied with, he (Mr. De Lautour) did not want to go further; but, if the Government was not of that opinion, he must go further.

Mr. HALL would point out that another question had arisen since. The reasons given by the Chairman of the Committee did appear to him sufficient to authorize the production of the evidence; but now a further question had arisen in the amendment of the honorable member for Olive, which would have to be considered.

Mr. DE LAUTOUR had no alternative. The obvious effect of the amendment of the honorable member for Clive was to prevent this inquiry. The honorable member moved, he ventured to say, with that intention. Of course it was a matter of fair fight. The honorable member for Clive had always been identified with the defence of Native actions, and, naturally enough, was anxious that this question should not be inquired into. First of all, the honorable member wanted to be satisfied whether the Natives authorized the petition. He (Mr. De Lautour) said, as a member of the House, that the petition was authorized. The honorable member's main object was to gain time, and find out whether this matter was *bona fide*. Now, it had been his (Mr. De Lautour's) duty to sift the evidence which would be tendered before the Committee. He was hampered in the matter by no instructions of any kind. He had simply to obtain the attendance of Natives in Napier, and of George Davie, before the case came on at the instigation of the prosecution, and before he allowed them to sign the authorities to prosecute. It was his duty to sift their evidence, to try to find out whether it was true, whether it was inconsistent, whether it was prompted by malice, or, in any way that he could, to spring weak spots in it, to prevent them taking a bad case into Court. He had before him, with the assistance of interpreters, Rora Nonoi, her sister, and others, and subsequently Nikera, who was brought from Wairoa on purpose to have his evidence taken. Of course he had

George Davie constantly before him, although he might say it was not true that George Davie was ever employed in Mr. Rees's office. He was not in Mr. Rees's office. The honorable member for Bruce repeated that he got £300. He did not get it for any services connected with Mr. Rees, or his office. If the honorable member for Bruce wished to know private business, he would not get it from him. He had already suggested that Mr. Rees himself could be further examined on the point before the Committee.

Mr. MURRAY.—Sir—

Mr. DE LAUTOUR said the honorable gentleman could speak afterwards. He gave way to gentlemen who conducted themselves to him honorably—not to others. He had sifted all this evidence carefully, and his drafts of it were in existence at Napier, and could be found hereafter, to test whether what he was saying was correct or not. It was a question which came before him with a peculiar interest. He went to the North determined, as far as he was able and so long as duty compelled him to remain there, to find out whether it was really true, as had been alleged in that House over and over again, that there had been fraudulent transactions in Hawke's Bay, and grievous wrongs perpetrated upon its Native inhabitants. This case peculiarly enabled him to focus that inquiry. Here they had a specific case, with any amount of witnesses and a document in support of the evidence. What did he find? He found that the evidence, mainly as set out in the petition, was supported by Rora Nonoi, by her sister, and by Nikera, and by others whose names he forgot. There was no doubt about the agreement of the witnesses prior to the information at Napier, who were put through the most crucial examination which could be made in a lawyer's office, with the view of disclosing for the information of counsel the weak points which existed, if there were any, in their story, and whether their story was credible or not. George Davie was the first witness in the case. He was connected with Paul Nonoi to a very large extent. Although the honorable member for Clive had a perfect right, as a public man of long standing, to question the character of George Davie or any other man in a sphere beneath him, yet he had no right to ask the House to believe that any man, whatever his position, was not an honorable man, and that his character was not deserving of some protection, even though he was not in the same sphere of life as the honorable member. He did not think it was a fair thing for an honorable member to say that it was well known that So-and-so was not a respectable man, and that certain other parties whom he knew were respectable men. They were not judges of the respectability of men: men were judged by the respectability of their acts; and he would prefer the word of George Davie to the word of a man who gave a bribe of £1,000 to a Native. So far as he had seen, George Davie was a man of good character, and the greatest blemish upon his reputation was the fact that he was connected with Mr. Kinross in a very disreputable transaction. That was, that Mr. Kinross used Davie as a means of

Mr. De Lautour

getting orders out of certain Natives in order that Davie might receive accounts which he otherwise might not receive—by obtaining orders for Kinross purporting to be purchase-money on blocks which Kinross wished to buy, and which he subsequently purchased. Although he (Mr. De Lautour) admitted that that was disreputable, yet his judgment might be wrong, because Kinross was a most respectable man in Hawke's Bay, and for many years past had been an elder of the Church. Davie's evidence was quite clear. He was informed, knowing Paul Nonoi intimately, that on a certain night an effort was made to obtain Paul Nonoi's signature to a conveyance of land. Davie had a publichouse on the road leading to where Paul Nonoi lived. Davie was not in bed when, about twelve o'clock at night, a buggy drove by on the opposite side of the road. By means of the lights in the vehicle he saw Mr. Sutton and Mr. Worgan.

Mr. SUTTON.—That is not true.

Mr. DE LAUTOUR was not referring to the honorable member; he was referring to Mr. Frederick Sutton, who had been petitioned against. He should not feel justified in referring to an honorable member. He knew nothing of the member for Napier in this transaction. He was not venturing to state that Davie's evidence was true; he was merely stating what his evidence was. Davie stated that the buggy and pair passed on to Paul Nonoi's whare or residence, some distance from the hotel. Davie, of course, knew nothing further personally as to what occurred that night; but at daylight, being anxious about Paul Nonoi's matters, knowing that it was reported an attempt would be made to get him to sign a conveyance, knowing that he had a power of attorney to act for Paul in these matters, and must have reached a point of great confidence in Paul's mind—the power of attorney was in his (Mr. De Lautour's) possession now—Davie at daybreak went up to where Paul lived. Paul produced a paper—a cheque for £5—and five notes. Davie looked at it, and said, "Why, Paul, you have sold your land." Paul said, "No; I have done no such thing." Paul gave him the paper, and Davie advised him not to cash the cheque. He (Mr. De Lautour) did not know what became of the cheque: it might be traced yet, although he believed that the banks destroyed the cheques after a certain time; but it was not forthcoming. Davie's advice was not to cash the cheque, to send the notes back, and give him the paper. Paul gave him the paper, and Davie put his name on it, to identify it. He (Mr. De Lautour) had that paper in his possession now. It was worded thus:—

"In consideration of Paora Nonoi having executed a conveyance of Awa-te-Atua Block, I agree to a reserve of 350 acres being made.

"F. SUTTON,

"Geo. Davie."

"31st Aug., 1870.

That was the original paper, a copy of which was contained in the petition. The person petitioned against would hear more of this paper before he was done with it. He had confined himself to the statement in Davie's evidence.

Now, what was the statement of the other witnesses? Davie did not know what transpired at the whare. Rora Nonoi stated that about one o'clock—the time, of course, could not be exactly particularized, but about that time—the occupants of the buggy arrived at the whare where Paul was. Paul was lying very ill; for some time it was expected he would not live long. It was well known that when Natives turned round the corner between health and sickness they dropped into their graves with a rapidity unknown to Europeans. Paul was lying very ill, and did not live many months afterwards. The interviewers at that midnight hour were anxious to see him. Some of the Maoris had been stopping up in the room playing cards, and others were lying on the floor, as was the custom with Natives. The Natives naturally wanted to know what this visit meant. A conveyance was taken to Paul, and he was asked to sign this conveyance for his interest in the block of land. Rora, her sister, and Nikera would prove that that occurred. They would further prove that Paul became very angry. No doubt they would be able to repeat the particular words used, and he would not venture any description of them at second-hand. The result was, that Paul rose in his bed very angry, and went from the place where they were standing to another part of the house, where he might be allowed to lie down. The story is told that spirits were brought out and served to some of these young girls. Rora was then about fifteen years of age. He could not tell exactly what the ages of the other young girls were. Spirits were served to them, and they were asked to use their influence with Paul to get the document signed. The idea of the girls was that they could sign. They said, "Oh! let us sign. Give us some of the spirits and we will sign." They had no interest in the land—they were not in the grant. There was no object in getting Rora Nonoi's signature to the conveyance: she was under age. The evidence went on to state that they never went near Paul again that night. Rora followed them out. They gave the cheque and the notes to her. She gave them to her mother, who gave them to Paul. So far as the story went, it seemed to him that the paper was promiscuously left behind. Certainly Davie's evidence was clear that he got it in the morning. There was no evidence to show that the conveyance was signed before that night by Paul. If it had been, they would not have asked him to sign it. The paper was specific in its terms. It stated that, in consideration of this document being executed, Frederick Sutton agreed to reserve 350 acres in the block. The question would naturally be asked why this paper was left behind. He had theories on this point, but he would not trouble the House with them. Certainly the reserve was never in the deed, as that instrument would show. Paul died very shortly afterwards, and after his death the deed was transferred to Watt, who now had it.

MR. SUTTON.—No.

MR. DE LAUTOUR did not say by whom the deed was transferred; the person accused

could produce evidence on that point. He was not referring to the honorable member for Napier (Mr. Sutton); he did not know the honorable member for Napier in this matter at all. The conveyance was transferred to Watt Brothers. Watt was now dead, and the property was in the hands of executors; and, so far as the land went, it would be very difficult in any way to shake the title. Although it was not a material point, the title was arranged in Watt's time by the payment of a very large sum of money; so that the title was actually good at the present day—as good as any Crown grant. Rora Nonoi and her sister agreed in these facts. There was a further fact with regard to the attestation of Paul Nonoi's signature. It was a curious fact that Paul Nonoi's signature was not attested by himself. The attestation was to the joint signatures of Rora Nonoi and Paul Nonoi. That was a most unusual thing. If Paul Nonoi had signed that document in the ordinary course, the attestation of his signature would have been isolated and complete in itself. The name of Rora Nonoi, who had nothing to do with the deed, no right of property in the deed, was put in as signing with Paul Nonoi in the presence of Nikera. His theory had been that no doubt Rora Nonoi signed the deed. It was true she would not admit having signed it. He did not believe she would admit it before a Committee of this House. He believed she did sign it, and that Nikera had witnessed the signature. The Committee would find out that there were good reasons for not making any admission in regard to the signing of the deed. Now, what was the process in regard to these signatures? That was a question which the House should look into apart from the special question. He did not believe that in half the cases where there had been undoubted forgery of Native names it had occurred deliberately in the first instance. Forgery in regard to names on Native titles did not occur in the premeditated way in which a European would forge a cheque. It arose in this way, owing undoubtedly to the facilities the law used to give: It was quite competent for persons who wished to get signatures to any deed to isolate the signatories. If they could not write, it was quite competent for a European or interpreter to write in the names. Well, that had often been done, he believed, before the parties had been asked to sign at all. In such cases that did not become forgery until actual benefit was taken by virtue of the signature. Every effort was made to induce those Natives who could not write to sign in some way after the names were written. If they only approached the pen, it was claimed as a signature; and, under such a system of allowing signatures to be obtained, no doubt an immense temptation had been offered to Europeans and interpreters to register conveyances without the signatures having been written by the grantors, but with the intention of their being confirmed by the grantors, although they had never been so confirmed. The mere approach to the pen, or a half-given hand to the pressure put upon it, had often been taken as an actual signature; and he had no doubt in his own mind that one-half of these cases

had arisen in that way. He did not say that any respectable practitioner would indulge in such a practice; but these signatures were not obtained by legal men. There were a class of men always meddling with the Natives in the interests of those who wished to get the land, who travelled about, visiting this pa and that, getting these people to sign, or to give assent to signed documents which had never been interpreted, and which in many cases had been misrepresented to them. There was a case now before the House—he did not know whether it had been inquired into or not—a case which had also been before another branch of the Legislature, and was now before them—in which the evidence was, that signatures were obtained from Maoris under the pretext and story that the conveyances were not conveyances, but mortgages, not of freeholds, but of the rents which they thought they had a right to. In that case it would be found on inquiry that such facts existed. There had been an immense temptation, not to get one signature only, but ten or more; and, if such an irregularity were allowed to continue, it was impossible to say what amount of fraud might not be committed. He did not wish to trace that through now. But, with regard to going to judicial Courts, the Maoris were blocked in the Civil Courts. Judge after Judge had ruled that these suits could not be brought to complete issue, because of the difficulty in the way of individualizing rights in the Crown grants as well as in the title. The law actually blocked the Maoris wherever these cases occurred, and, when it was attempted to get a case at issue, invariably a legal difficulty of a technical character cropped up, and prevented the Maoris from getting justice. It had been well known to that House that for several years past these civil suits in Hawke's Bay had been pending. He was not there to say they had been prosecuted with that diligence with which they might have been, but the fact remained that these suits could not be got into a Court of justice to this day; and he hoped the House would recognize that sufficiently to agree to the passing of the Lawsuits Bill now before the House, or some other Bill of the kind, which would give the best Judges in the land the right and power to deal with these questions of title on their merits, and adjudge between the parties concerned, instead of blocking the aboriginal inhabitants of the country from obtaining justice by the technicalities or the badness of our laws. For defects had arisen from the laws which we ourselves had made. There was no doubt about that. If our law was imperfect it was not the fault of the Natives. Why, therefore, should they be made to suffer from such defects? The Natives were prepared to abide by our laws; but our laws were so imperfect, so full of defects, so incomplete, that no civil suit could be brought to issue to this day; and if honorable members traced the reports of the law-courts they would find that hardly a single case had been brought to issue. Legal points were raised and decided on, but the main facts had not in any one case been decided in the Courts of justice of this colony. If the House accepted the

invitation of the honorable member for Clive to throw these Natives upon the judicial Courts of the colony, as he said at the outset, that was mocking them. There was no justice in our Courts, under the laws that exist, possible for the Maori inhabitants of this colony. He said it unhesitatingly, that no justice was possible for them under our laws as they exist. If that justice were possible, they had not the opportunity in many cases of obtaining ample legal advice. These facts constituted exceptional circumstances so grave that he thought the House should interpose no obstacle in allowing the Committee the fullest opportunity to investigate into this special case, by bringing Worgan here. It had been said repeatedly that the difference was only that the man was in gaol and other witnesses were not. That difference, however, rendered it necessary for the Speaker's warrant to issue; and, in spite of what the honorable member for Ashley had said, he had no doubt the Speaker's warrant would be obeyed: and if the law was not powerful enough to have it obeyed, he was sure the House would take prompt steps to pass such a law as might be necessary in such a case in a day or two. But it must first be proved that the Speaker had not the power. He maintained that the Speaker, as the head of a Legislative Assembly, had the power to order any prisoner in gaol to be brought up before a Committee of that House. If the Speaker had not the power, let it be proved. It was not for them to go about asking for advice. They assumed the right, and in that assumption they asked the Speaker to issue his warrant. If anybody disobeyed that warrant, he would do so at his peril. If that person were protected in law in disobeying the Speaker's warrant, the House would very soon take measures to remedy that difficulty. The honorable member for Ashley told them that he did not guarantee private opinions without a fee. He told them that he was advised by a professional man that the Speaker had not the power. If the honorable member for Ashley were then in his place, he would like to ask him if he had paid for that advice. He believed he had not. So upon his own dictum that opinion was not worth much, because it had not been paid for. There were many things which he should like to go into in connection with this matter. They would keep. He hoped that sufficient reasons had been given why this prisoner should be brought up and examined before the Committee, and he had heard no reason why he should not. It was for the Committee to inquire into any case in which it was represented an injustice had been perpetrated. This did not constitute the Committee a Court of justice in any way; and under the law witnesses were protected, because anything criminalizing to themselves could not be used against them in a Criminal Court. He hoped the House would see the sense of justice which he perceived in the motion, and order this man to be brought up. He hoped the House would oppose, with determined opposition, any attempt on the part of those who were interested in obtaining Native lands unfairly, unduly, and without process of

Mr. De Lantour

law, to frustrate justice in this matter. He hoped, therefore, that the House would agree to the motion, and reject the amendment.

Mr. ACTON ADAMS said the honorable member for the Thames (Mr. Sheehan) had stated that if a witness were brought before the Committee he would not be bound to answer questions that would tend to criminate himself. As he was a member of the profession, and also lately Minister of Justice, that honorable gentleman's opinions were entitled to respect; but when he made that statement the honorable member for Waipa and he (Mr. Acton Adams) interjected "No" to the opinion. In justice to the honorable member for Waipa and himself he would proceed to show that their opinion was well founded. The following case was reported in the Journals of the House of Commons, Vol. XC., page 504:—

"The Order of the day being read for the attendance of William Prentice at the bar, he was questioned by the Speaker as follows: 'Were you examined before the Select Committee on the Great Yarmouth petitions?' Ans.: 'Yes.'—Did you refuse to answer the following question: Will you state from whom you received that sum of £100 to £200?'—Ans.: 'Yes.'—And do you still persist in declining to answer same?'—Whereupon W. Prentice stated that he considered his answering that question would tend to criminate him, and he declined to answer it for that reason. On a motion, That W. Prentice ought to answer the said question, the House divided—Ayes, 119; noes, 49."

Prentice was then admonished by the Speaker to answer the question according to the resolution, and, on his again declining on the same ground, the House unanimously resolved that he was guilty of a breach of the privileges of the House, and ordered him to be committed to custody, and the Speaker issued his warrant accordingly. The case was brought up after Prentice had been in custody some time, and, on going into the question fully again, an amendment was proposed that he should be brought up and admonished, and that he should answer all questions not tending to criminate himself; so that the question of whether a witness was bound to answer questions tending to criminate him was distinctly put to the House of Commons a second time. That amendment was rejected by a very large majority in the House—81 to 14—and it was ordered that the witness be sent to Newgate, and he was sent accordingly. He thought that a case in point; and it was fully borne out by May's Parliamentary Practice, page 429,—

"Journals abound with cases in which the witnesses have been punished by commitment to the Sergeant-at-Arms and to Newgate for prevarication, or giving false testimony, or suppressing the truth; for refusing to answer questions, or to produce documents in their possession."

He thought the honorable member for Waipa and himself were right when they dissented from the opinion expressed by the honorable member for the Thames (Mr. Sheehan). The honorable member for New Plymouth had referred to "The Parliamentary Privileges Act, 1875," and appa-

rently contended that under that Act a witness would be privileged from answering questions which would tend to criminate him. But that was not so. The only important section of that Act was as follows:—

"Every witness sworn and examined under the provisions of the said Act has and shall have, in respect of the testimony which he has given or shall give when so sworn, the like privileges, immunities, and indemnities in all respects as are possessed by or belong to any witness sworn and examined in the Supreme Court of New Zealand."

But that simply referred to the evidence or testimony after a witness had given it; it did not refer to the examination of the witness. It did not refer to the powers of examination which the House possessed: but after the witness had given his testimony he was protected in respect of it. Honorable members who were at that time in the House would recollect that that Act was passed in order to protect Mr. Bridges from an action of libel outside that House. The Act was passed in 1875; and he was sure that every lawyer looking at that Act would come to the conclusion that it was not intended by that Act to interfere with the ordinary privileges of the High Court of Parliament in examining witnesses. If any further testimony were required to show that the honorable member for Waipa and himself were right, he would refer to the Committee report in the case of *Paramene v. Oneone v. Kinross*, brought up on the 24th of October last in another place, signed by "William Fitzherbert, Chairman." It stated,—

"A reference to parliamentary proceedings and practice shows that Parliament will always protect witnesses who give evidence before its Select Committees: the principle appearing to be that witnesses giving evidence before Parliamentary Committees are *compelled* to give evidence, whether such evidence may inculpate themselves or not; whereas in ordinary Courts of law such evidence is voluntary, and not compulsory, no witness being compelled to give evidence criminating himself."

This report carried out what he stated, that those old precedents to which he had referred had not yet been altered. He quite agreed with what the honorable member for New Plymouth had stated as to the power of Committees to summon witnesses at the expense of the colony; but he must say that he should like to see the power of Committees in that respect limited. At the same time, he did not think the honorable member's suggestion, that a reference to that House should take place whenever it was desirable to summon a witness, was a good one. He thought that some such provision as this might fairly be passed: that, with a view of saving the country unnecessary expense, no Select Committee should be allowed to pass a resolution summoning witnesses at the expense of the colony unless two-thirds of that Committee concurred in the resolution. He was a member of the Native Affairs Committee, but he was not present when the decision of the Committee was arrived at, and he believed that very few of the other members were. He had often protested in

the Committee against the indiscriminate way in which Natives were summoned from all parts of the colony to give evidence in support of their own petitions in matters that tended only to their own private profit. He would not deny justice to a Native, because he was a Native, in the ordinary Courts of the colony; but a man who presented a petition to redress a private grievance ought to present that petition at his own expense. The power of the Native Affairs Committee in the summoning of witnesses ought to be limited in the manner he had suggested—namely, that two-thirds should concur before it was decided to bring a witness from a particular district.

Mr. SHEEHAN hardly thought the honorable gentleman would be able to establish the doctrine that evidence given by a person before a Committee of the House could be used in a Court of law. The report the honorable gentleman had just read as having been adopted in the other branch of the Legislature had been referred back for further consideration upon that express point. He thought the honorable gentleman would find, if he looked into the matter, that he had not laid down the law correctly.

Mr. HALL said that early in the afternoon he had suggested that, before the House assented to the motion, it should be shown that this was a desirable proceeding. The Chairman of the Committee had since given reasons which he was bound to say were, *prima facie*, sufficient to justify the course proposed. He did not think the House should be too exacting in a case of this kind. It ought to have confidence in the Committee. But the question had now assumed a new complexion. The House had been addressed at considerable length, on one hand by the honorable member for Clive, and on the other by the honorable member for Mount Ida; and an amendment had been moved by the honorable member for Clive. One portion of this amendment proposed that the Speaker's warrant should only issue under certain conditions, and the other prescribed what course the Committee should take after the witness had been brought up. It suggested that the Committee should first report whether they were satisfied that the petition was authorized by the Native concerned. The honorable member for Mount Ida had stated that he was in a position to say that the petition was authorized by the Native; but, after all, that was only the opinion of an individual member.

Mr. DE LAUTOUR.—It is a fact within my own knowledge. I myself was authorized by the Natives.

Mr. HALL.—Then, in that case, the honorable gentleman would have no difficulty in satisfying the Committee, and the statement could come to the House through the ordinary channel of the Committee itself. There could be no difficulty if the facts were so much within the knowledge of the honorable gentleman as he stated they were; and, if the Committee were satisfied that the honorable gentleman was authorized, then the warrant would issue at once. The second part of the amendment did not apply to the issue of the warrant, and was rather framed for the

future guidance of the Committee. It was to this effect: That it be an instruction to the Committee to confine the inquiry, until it had further reported to the House, to ascertaining whether the petitioners were in a position to prosecute their case in the ordinary Courts of the colony. Now, as an ordinary rule, he thought it would not be denied that neither the House, nor Committees appointed by the House, should enter upon the trial of a question of this kind, which was in the nature of a criminal prosecution, unless the question could not be properly and fairly tried in the ordinary Courts of law. If the House disregarded that rule—if they once allowed Committees to set themselves up as judicial tribunals, even where Natives were complainants—it would be difficult to know what it might lead to. Therefore he would feel bound to vote for the amendment. He was glad to see that it was so worded that the Committee could include, under the head of inability to prosecute the case in the ordinary Courts of the colony, the absence of means on the part of the petitioner. If he had not the means, that would be a *prima facie* case sufficient to justify the House stepping in. But something of the kind ought to be shown; and if the Committee found that to be the case, and reported the fact to the House, then the House should step in and assist the petitioner in getting the case tried in the ordinary Courts of the colony. He trusted the House would adopt that view. As to the case itself, he never heard of it before yesterday, and therefore he knew nothing of its merits. He had had no previous knowledge of it, and had no prejudices in regard to it; but he should vote for the amendment of the honorable member for Clive, believing that it would not stand in the way of the further investigation of the case.

Captain RUSSELL said he also should vote for the amendment of the honorable member for Clive. He had many reasons; but, had he no better reason for doing so, he should urge the very nature and tone of the debate that had taken place. Was it possible that any person who had listened to the debate could approach the subject with a wholly unbiassed mind? Unfortunately, the whole question had assumed a party aspect, as the Hawke's Bay land questions always did. It was much to be regretted that it was so, but, being so, it was improper that a Committee appointed by the House should try any case which assumed a political aspect. There were three points in the speech of the honorable member for Mount Ida to which he would refer. One remark made by the honorable gentleman was to the effect that there was only one firm of solicitors south of Auckland which would undertake these cases; and he referred to that point, because the belief that such a state of things did exist might be an inducement to honorable members to vote for the settlement of transactions of this nature before Committees of the House rather than in the Courts of law, owing to the difficulty the Natives experienced in getting advice. He might point out that Mr. Lascelles, of Napier, and Messrs. Izard and Bell, of Wel-

Mr. Acton Adams

lington, had conducted several of these cases; so that the honorable gentleman was incorrect in saying that only one firm could be found to conduct them. Then the honorable gentleman said that signatures to deeds were got by people who ran about from pa to pa, and that they were not obtained by lawyers. That might be; but what was the use of the Frauds Commissioners? Whoever obtained these signatures had to go before the Frauds Commissioner, who decided about the propriety or impropriety of accepting them. Then the honorable gentleman pointedly stated that he would prefer to take one gentleman's word to taking that of another gentleman who had given £1,000 as a bribe to a Native. The honorable member for the Thames on the previous evening referred to the honorable member for Clive as the gentleman who gave that bribe. But he could say with absolute knowledge of the fact that that statement was entirely without foundation; and both of those honorable gentlemen, if they had taken the trouble, might have discovered that for themselves.

MR. DE LAUTOUR.—My remark was, that I would sooner trust Mr. Davie's word than the word of a man who had given a thousand-pounds bribe to a Native.

Captain RUSSELL said that, if the honorable gentleman did not allude to the honorable member for Clive, of course all that he had said was perfectly unnecessary. But he understood the honorable gentleman to apply the remark to the honorable member for Clive. However, he knew that the statement was absolutely without foundation, and that the honorable member for Clive was utterly unconscious of such an offer having been made.

MR. TURNBULL thought the subject deserved a good deal of attention, particularly after the statements of the honorable member for Mount Ida. There was one point arising out of this matter which was worthy of observation. As soon as certain members of a Committee found that they were not sufficiently strong to carry their views, they came down to the House and asked that other members should be appointed. In this case a Committee was appointed by the House, and was therefore responsible to the House, and not to the Ministry of the day. The Chairman of that Committee came down to the House and asked it to accept a certain proposition, and a few gentlemen who were on that Committee found themselves in a minority. That was the position of affairs, and, instead of giving way with a good grace, as all minorities should do, they came down with the amendment proposed by the honorable member for Clive, and attempted to make rules for the Committee. The Committee had decided upon a course which they deemed necessary to secure the interests of justice. He heard the Premier say that there should be some guarantee given of the *bona fides* of these petitioners before the matter was allowed to be gone on with. But of that the Committee was the best judge, and the very fact of their arriving at the conclusion that the production of this witness was essential to their giving a just decision on the case showed that they were the

proper people to decide. He looked upon the amendment of the honorable member for Clive as an attempt to overawe the Committee by bringing the weight of the House to bear upon their decision; and he looked upon it, too, as having even a much deeper design than that—as an attempt to make this, if possible, a party question. That was his sincere opinion upon the matter. A great deal had been said about petitions of this kind not being allowed to be presented to the House, as taking an unfair advantage of the privilege allowed to individuals to petition. But to his mind there was one very important element in the case that had not been borne in mind: that was, that in dealing with the Natives every possible latitude should be given to them because of their ignorance of the laws. An honorable gentleman said—and it was not attempted to be controverted by the legal members of the House—that the House stood in this position: that it made laws, and that those laws were useless to, and could not be enforced by, the Natives. He understood the honorable member for Mount Ida to make that statement, and to say that, although Europeans might make laws, the Natives could not avail themselves of those laws in any way. The Native Lawsuits Bill which had been introduced was a proof of that fact. Therefore he said the Natives should have a great deal of latitude allowed to them. Moreover, he would point out that the House was the highest Court of justice in the land, and that, where a remedy could not be obtained by any other means, every facility for appeal to the House should be given. Then there was another most important feature in the matter, and it was this: that the honor of a member of the House had been called in question. When that honorable gentleman got up and said the charge against him was false, he (Mr. Turnbull) believed him. He looked upon that as the most serious matter of the whole business; and, if the honorable gentleman had any sense of what was due to himself, he would get up and insist upon this witness being produced to clear his honor. He hoped before the question was decided they would see him do so. He felt very strongly upon the matter, for it was an imputation on the whole House; for, if the fountain is poisoned, who shall drink with confidence of its waters? The House was the highest Court of justice in the colony, and if it allowed the slightest imputation to rest upon any of its members it would bring distrust upon the laws it passed. From what he knew of the honorable gentleman, he felt sure he would be the first to stand up and insist that this man should be produced, in justice to himself and in justice to the House. No doubt it was asking honorable members to make a great sacrifice in giving up their private business in order to go into this question; but he hoped they would not consider it was time lost, for this was a matter of the highest importance. He would not detain the House further. He had stated his opinion fearlessly, and, like every other member of the House, was determined to see justice done to every person who approached the House with a grievance.

Mr. McLEAN did not think that when the evidence of this man, over which there had been so much waste of time, was obtained, much benefit would have been secured. Throughout all this fight he had heard only one member object to the production of this witness. The honorable gentleman who had just sat down declared that this ought not to be made a party question, and yet he proceeded to make one of the most party speeches, with the exception of that of the honorable member for Mount Ida, that had ever been heard in the House. The debate which had taken place, and the manner in which this question had been brought up, must satisfy the House that the Committee as constituted was not a proper tribunal to try this case. He himself would always go with those who desired that the greatest facilities should be given to persons approaching the House with a grievance; and he would vote for the production of this witness. He was quite sure the honorable member for Clive did not by his amendment at all mean to stop the production of the witness: in fact, the amendment would have a contrary effect. Now, what was this case? One would imagine that it was a new case that was brought before the House; but it was not so. It was a ten-year-old transaction raked up once more by a gentleman who, he was sorry to see, took up a position in the House as one who was interested in the case himself: he meant the honorable member for Mount Ida. He was sorry that honorable gentleman had taken any part in the question, and would have liked to hear him, as the honorable member for the Thames (Mr. Sheehan) did, deliver a few words and say, "I am interested in this case, and therefore I, for one, cannot take part in it." If he had wanted the particulars brought out he could have got some other honorable member to do so, but should not have taken such a course himself. This case came from the office in which the honorable member was. It was only two years ago that everybody heard that the honorable gentleman who was dragged up in this petition was to be served with so many writs that he would be unable to take his seat in the House. That was openly stated; and there could be no greater piece of persecution against a man who, being in the House, could not open his mouth, and who had been slandered and tried absolutely before he had the least chance of justifying himself. Let a Committee be appointed, and let the honorable gentleman be tried in that way, if necessary; but let it be understood that the Committee was fairly constituted, and not as the Native Affairs Committee was constituted. They knew the honorable gentleman had been persecuted by political opponents. It was they who had this bitter hatred against him, and tried to hunt him out of the House. He did not say these charges, if true, should not be brought home; but he protested against this unjust way of raking up a matter ten years old, and making such a case out of it as the honorable member for Mount Ida tried to do. The Repudiation Office, in Napier, as it was called, boasted not long ago of having four members of Parliament belonging to it. The fact of so many members being connected with it at one time must cause some sus-

picion to rest upon it, no matter how pure might be the motives—and he believed the motives of some of those connected with it were pure. When the honorable member for Mount Ida, who was so closely connected with that office, and who stated himself that he was getting up this case—

Mr. DE LAUTOUR.—No. I said I was getting up the conspiracy case.

Mr. McLEAN had never heard of the conspiracy case. However, he had no intention of saying more than a few words, and they were these: It was unbecoming and improper for the honorable member for Mount Ida, connected as he was with this case and with the late member for Auckland City East, who was the principal witness in the case, to carry on such a persecution against another honorable member because he was a political opponent. The speech of the honorable gentleman proved that he would not show fair-play, but that he would condemn a man before he was heard in his own defence. Let this witness be produced—there was nobody objecting to it; but he did object to any member of that House being unfairly treated. Let them act as Englishmen, and not try a man in the manner in which he was sought to be tried by members of that House. Why did not this Maori woman sign the petition herself? Why did she not put her name to the petition, and let it come in regular order before the House, instead of getting one of these pakeha-Maoris to sign it, of whom they had heard so much? The petition, to be a good and valid one, should have come from the Maori herself. He would vote for the production of this witness. From the accounts they had heard of him, he did not think his evidence would be worth much, or that many members of the House would attach much importance to it when they got it.

Major TE WHEORO said he was one of the members of the Native Affairs Committee, and had his own reasons for voting that this Mr. Worgan should be brought before the Committee. The principal reason was, that this Mr. Worgan was Mr. Sutton's companion when he went to buy this land, and was the interpreter for Mr. Sutton when they promised that 350 acres should be reserved. The Committee wanted his evidence as to this reserve of 350 acres; and when the Committee had heard his evidence they would better understand how to decide the petition. Some members of the Committee objected, but the majority wished that Mr. Worgan should be brought down, and he did not see why the House should object to Mr. Worgan coming down to confirm the statements in the petition, so that the Committee might be better able to come to a decision. If they did not bring Mr. Worgan down, a certain member of the House would be repeatedly having this thing brought up against him, and the Maoris would not know what to say about this honorable member. The Committee were desirous that Mr. Worgan should be brought down in order that they might thoroughly understand the subject before giving their decision, because they would like to be quite sure, and they thought Mr. Worgan's evidence would help them to know whether Mr. Sutton did promise

Mr. Turnbull

that 350 acres should be reserved or not. The Committee would then better understand the subject, and know what was to be said about Mr. Sutton, and also what answer they were to give to the Native who had petitioned the House. He did not see what the objections were at all. The witness could have been sent for, and would have been here and away again by this time. He did not think it right that the Committee should be interfered with and hindered in this way. If this were refused to the Committee, the House would go on to refuse other things; and he hoped the House would consider this matter, and not interfere with the work of the Committee.

Mr. MACANDREW understood the honorable member for Napier (Captain Russell) to say that they were all more or less biassed on this question. He was very sorry to hear such a statement coming from the honorable gentleman. Why should they be biassed? He could safely say, for his own part, that he was not conscious of being influenced by any bias whatever. He knew nothing whatever about the case except what he had heard that evening and during the debate on the previous day. He could assure the House that he had no bias whatever; and the whole speech of the honorable member for Waikouaiti was Greek and Hebrew to him. He could not conceive what the honorable gentleman was driving at. He felt this, however: that, if the amendment of the honorable member for Clive were carried, they would be practically shelving the question, and the petitioners would find themselves, at the end of the session, exactly where they were now. He felt convinced that that would be the effect of the amendment, whatever might be its object. This would be very unfair and very unjust. What possible objection could there be to bringing this man down to Wellington at once? No wrong would be done, and no interest sacrificed; and, if the man's evidence was worthless, of course only such value would be attached to it as it deserved. Another view of the matter was, that they were treating the Committee very badly. Here was a Committee consisting of twenty-three members of the House—and, judging from the Order Paper, there would soon be nine more members upon it—and they would be casting a very great slur upon that Committee if they passed this amendment. This petition was referred to them in the ordinary way, the same as other petitions were referred to them; and, in the face of that, the proposal was now made to tie their hands and to dictate to them how they should deal with the petition, and what should be their mode of procedure. He hoped the House would not perpetrate such an indignity upon the Committee. If he were a member of the Committee, or of any other Committee placed in such a position, he should at once resign. He hoped the debate would not be prolonged, but that they would come to a decision, and at once agree to bring down this witness and leave the Committee to act unfettered. He thought it was a great pity that they should import party considerations into questions of this kind. As far as he could see, they were fast

verging into that state when everything would be decided by party—from the Christchurch election downwards, or upwards. That was a state of things very much to be deprecated, and indicated a great falling-off from the tone which used to prevail in the House, and which he thought they ought to strive to maintain. He merely rose to say that, as far as he was concerned, he had no bias whatever in the matter, and he was very sorry to hear such an imputation fall from the honorable member for Napier.

Captain RUSSELL rose to make a personal explanation. He did not remember the exact words he used, but they were to the effect that the tone of the debate was such that a party feeling—which was another word for bias—was introduced. The honorable gentleman said he was very sorry that such motives should be imputed to him. He (Captain Russell) would withdraw the remark with regard to the honorable gentleman, or any other honorable member who might feel aggrieved; but the honorable gentleman's concluding remarks would almost justify what he had said.

Mr. DICK agreed with the honorable member for Port Chalmers that they should at once get through this business by agreeing to summon the witness. He did not know what value he would be: it seemed, from all he had heard, that they would not believe a word he said when he came down. Still, since the Committee wanted him, he should be produced. He regretted to see that they were taking the Committee's work into their own hands in the House. For the last two days they had been doing the Committee's work. It was quite enough that the Committee should have these debates in their own room, without importing them into the House and asking the House to help them to settle their difficulties. They had appointed this Committee to consider these petitions, and they should leave them to the Committee. The question for the House to decide appeared to him to be simply, Should they send for this man whom the Committee wanted? Under ordinary circumstances he would have been sent for without appeal to the House; but, because he happened to be a prisoner, the Committee applied to the House to allow the Speaker to order that he be sent for. Now, he thought their business was simply to say, "Yes, let him be sent for." There was a question as to the propriety of fetching witnesses from all parts of the colony: but that was not before them at present. Hitherto the rule had been for witnesses to be summoned at the will of the Committee, and it was the duty of the House now to summon the witness just as they would have done in any ordinary case. He did not think it became the House now to inquire into the constitution of the Committee, which had been elected by the House. The House should have confidence in the Committee, and look upon it as a Committee of the House, and not a Committee of a party. Like his friend the honorable member for Port Chalmers, he was bewildered by the charges that had been made. He hoped things were not so bad as they had been put—he hoped men could deal with the Natives and still keep clean hands; and there-

fore the House should be very chary of accepting such charges against honorable members as had been bandied about. As to the amendment of the honorable member for Clive, it was, he thought, out of place. The House should let the man be brought up, simply because the Committee asked for it. He agreed with the honorable member for Waikouaiti, that the honorable member for Mount Ida should not have spoken. His position was such, according to his own showing, that he must be looked upon as a biased speaker. The House could have understood the matter just as well, perhaps, without the explanation he was good enough to give; but no doubt the honorable gentleman wanted to defend his side of the Committee against the charges of the honorable member for Clive, and so the thing went on. He (Mr. Dick) hoped the witness would be sent for, and that the matter would be allowed to be disposed of at once.

Mr. MOSS said the honorable member for Dunedin City (Mr. Dick) was mistaken in supposing that the honorable member for Mount Ida was a member of the Native Affairs Committee. Had he been so, no doubt he would not have spoken in the debate. He (Mr. Moss) felt that the Committee had been unfairly treated, especially by the honorable member for Waikouaiti, who hinted that the members of the Committee had some sinister object to serve by the action they had taken. He only hoped that the honorable member for Waikouaiti was as free from improper motives in Committee as the members of this Committee. He was sure that a majority of the Committee knew very little about these Hawke's Bay transactions, and had therefore not been influenced by any party feeling; while the members of the Committee who did know something about the matter—and he (Mr. Moss) was one of them—had endeavoured, and would continue to endeavour, to act as impartially as possible. There were one or two things which the House ought to be warned against. A great deal had been said about what was called the "repudiation party" of Hawke's Bay—so much so that the House must be sick of it. There were in that unfortunate province two parties, the one called the "repudiation party," and the other the "spoliation party," and they carried on a feud of a most deadly character. The honorable member said that there were four members in the House representing one party, and he believed he (Mr. Moss) was referred to as one of them.

Mr. McLEAN.—No.

Mr. MOSS said that last session, when Sir William Fox was a member of the House, he hinted the same thing pretty broadly, and he (Mr. Moss) then took the opportunity of denying it. He had nothing whatever to do with either party. Well, he thought they should not allow that question to be introduced into the House—they should let the quarrel be fought out in the province; but, at the same time, if any member was allowed to object to a Maori seeking redress of a grievance at the hands of the House, or to the House being petitioned, then he said the

Mr. Dick

House would be playing into the hands of one of the parties in Hawke's Bay. A great deal had been said by the honorable member for Clive to show that this petition had not come from the Natives, and that the Natives had never authorized the petition; and he was sorry the Premier supported that view. In the course of his remarks the Premier had said it had been broadly asserted—that was the phrase—that this petition was not authorized by the Natives. He was then distinctly told by the honorable member for Mount Ida that he knew positively the petition was authorized; but the Premier would not accept that, but preferred to believe what had been "broadly asserted," instead of accepting the direct statement of the honorable gentleman. That looked very like party feeling—a disposition to throw out this matter. But this was a point which had been discussed in the Committee; and when the honorable member for Clive made the statements he did, he must have forgotten what took place in the Committee with regard to the *bona fides* of the petition. Then, again, the question in reference to a sum of money—some £300—having been paid to the man Davie, was fully gone into in the Committee. These questions had been thoroughly investigated and decided upon impartially. The Committee desired to retain the confidence the Natives felt in the House, and to show the Natives that they would always find it ready to investigate and deal fairly with their grievances. That was the sole motive on his part, and he was sure it was the motive which actuated the majority of the members of the Committee when they voted that this warrant should be issued. He hoped the House would give the Committee credit for sincerity in this matter, and support it, and not be led away by false issues.

Mr. LONDON could not support the amendment of the honorable member for Clive; and he was surprised he had brought such an amendment forward, because in the Committee the honorable member for Clive had made no objection to this witness being sent for. The objection he took in Committee was, that the Committee was not a proper tribunal to try the case at all; and another objection was, that Mr. Rees should be allowed to be present not as counsel, but simply as adviser. Had the honorable member raised this objection to the production of Worgan, very likely he (Mr. London) would have voted with the honorable gentleman, because really the evidence of such a man could have but very little weight. However, there were twelve or thirteen members of the Committee present—four Maoris and eight or nine European members—and they resolved that the witness should be sent for, the only member dissenting being the honorable member for Waipa, who contented himself with merely voting against the proposal. That being so, he could not understand why so much time had been wasted by the House discussing the matter. He could not say that he was a party man. He had friends on both sides of the House. His name was placed on the Committee before he entered the House; and while he had acted on the Committee he had seen no party

spirit evinced. All that members seemed to desire to do was to give all matters full consideration, so as to give satisfaction. He really hoped the amendment would be withdrawn, and a division not taken; because if the matter were pressed to a vote it must, to a certain extent, tinge it with a party colour, although, he confessed, his feelings were rather in favour of the representations of the honorable member for Napier. If the amendment were passed it would only result in waste of time, because the matter would be sure to come back to the House again.

Mr. SUTTON said it was with considerable diffidence that he rose on the occasion, because it was always an unpleasant task for a man to have to speak of himself; but he felt compelled to say a few words. He had not the slightest objection to the question before the House being decided either way; but it was rather peculiar that this person who was to be produced was not a witness, but was one of the persons charged—the principal person charged. Until that afternoon he (Mr. Sutton) was not aware of such a ground of complaint as that referred to in the petition. It was something like ten years ago since the transaction took place—it took place in 1870—and yet, until the honorable member for Mount Ida read the petition and made his speech, he (Mr. Sutton) was not aware that such a charge was contemplated. He had never before heard of the charge of forgery. Since the House had risen for the dinner adjournment, he had waited upon the Chairman of the Native Affairs Committee, and requested that he should obtain copies of documents connected with the civil and criminal actions in reference to the same matter; and he had no hesitation in saying it would be found that six months ago there was not a word said about forgery. The honorable member for Mount Ida had gone very fully into the facts, and had put into *Hansard* some damaging statements—for the purpose, no doubt, of injuring a political opponent; and he (Mr. Sutton) should take the opportunity on a future occasion of representing his version of the facts. The whole of the statement of the honorable member for Mount Ida was false, with one very important exception. That was the portion which referred to a reserve of 350 acres. That was perfectly true. He did not know whether the document which the honorable member for Mount Ida read was a document in his (Mr. Sutton's) handwriting, but he was aware that such a document existed at the time of the transaction. It was part of the agreement that 350 acres were to be reserved for the Native selling, and the matter was never questioned from that day to this. It was much more a part of the agreement than the purchase-money for which he sold his share. All the other portions of the petition, alleging very serious and grave charges against him, he had not the slightest doubt the Committee would completely upset. What the Native wanted—and no one knew this better than the honorable member for Mount Ida—was the balance of the very large sum of £17,500 paid to the Natives in connection with this land. Four years ago, Messrs. Watt and Farmer, the present occupiers

of the property, paid the Natives £17,500 and took from them a clear conveyance. What Rora Nonoi wanted to know was, where a large balance of this money, due to her as representative of Paora Nonoi, had got to. He had no hesitation in saying that, if that Native woman appeared before the Committee, it would be shown without a shadow of doubt that £600 or £700 had been detained from her against her will by honorable gentlemen who were connected with the same interest as the honorable member for Mount Ida. With reference to Mr. Davie, he could only repeat, with a little more emphasis, the character given to him by the honorable member for the Thames in the Committee, when asked in his presence what sort of a man Mr. Davie was. He said he was a man he would never employ. He was then asked if he was a pakeha-Maori. He said Yes, and that he was one of a low sort. In reference to the Committee, he only asked that the thing should be thoroughly gone into. He did not think the Native Affairs Committee, as at present constituted, was the proper tribunal to try these things, and he intended to move that a Select Committee should be appointed by the Committee of Selection, to whom this petition should be referred, with instructions to sift the whole matter from top to bottom.

Mr. SHEEHAN was not going to be led off on a false scent. The question before the House was entirely distinct from the one raised by the honorable member for Napier. When this question was settled, he would give the honorable member as emphatic an answer as he could expect to have. He would not make a personal attack on him, or import any merely personal matter into the debate. He submitted that he had, in the debate on this question, taken the line which the honorable member ought also to have taken. He might have been tempted to speak strongly; but he felt that, being a witness in the case and a member of the Committee, his mouth ought to be sealed on the real facts; and the honorable member for Napier should have shown the same generosity, and should not have attempted to make this particular debate the medium of an attack upon himself.

Mr. MURRAY suggested to the honorable member for Clive that he should withdraw his amendment. He regretted that the Chairman of the Committee had not made his statement earlier, as it would have saved a great deal of unnecessary discussion and ill-feeling.

Mr. HAMLIN said the honorable member for Bruce seemed to be saddling blame on his shoulders which he was not prepared to take. When he brought up the resolution and handed it to the Speaker, he did so with the full intention of giving the House some reasons for moving the resolution. The Prime Minister, however, rose at once, and said he considered notice should be given; and other honorable gentlemen also sprang up immediately after him. He had therefore no opportunity whatever of offering any explanation; otherwise he would have done so. As long as he was a member of the House he would never attempt to steal a resolution slyly through the House without debate.

Mr. GISBORNE said that, as the amendment was not withdrawn, and as it might form a precedent, he would like to say one or two words on the subject. Two legal questions had been raised: one by the honorable member for Ashley, that the Speaker had not the authority to issue such an order; and the other by the honorable member for Nelson (Mr. Acton Adams), that a witness before a Committee of the House was bound to answer questions, even though they might criminate him. As a layman he would feel at a disadvantage in combating those opinions; but confessedly they were given by those honorable gentlemen, not as lawyers, but as representatives in the House; and therefore he met them on common ground. With regard to the question raised by the honorable member for Ashley, the honorable gentleman seemed to forget the Parliamentary Privileges Act, under which that Assembly possessed the same powers as the House of Commons. There were many precedents in the House of Commons in which the Speaker had ordered the keepers of gaols to produce witnesses who were under detention, in order to give evidence before Committees of the House. He thought also, with respect to the second question, that "The Parliamentary Privileges Act, 1875," when it used the words, "shall give testimony," meant to say that in the course of giving testimony witnesses might claim the same immunity and privileges as they could in the Supreme Court, and that therefore they would not be bound to answer questions which would criminate themselves. With regard to the main question, he came to the House the other day after the debate had commenced, and as soon as he thought he understood the question he gave his view at the impulse of the moment. Subsequent reflection had fortified him in the adoption of that view, which was, that the act of the House in ordering the production of a witness under detention in gaol in order to give evidence before a Committee, was merely a formal administrative act. The Premier asked, if that was the case, why was the House asked at all to give the order? He would answer that this order was tantamount to a *habeas corpus* in a Court of law, and the Supreme Court was the only Court of law able to order the issue of such a writ. No doubt it was thought that, admitting that an order of the House was requisite, the full weight of a direct order from the House should be given. But did it follow that it was not therefore an administrative, formal act of the House? If they took a contrary view, let them look at the difficulties they would land themselves in. This debate was an illustration of those difficulties. First there was a breach of their Standing Orders, and, with all deference to Mr. Speaker, he must say it was not competent for him to relax the Standing Order. The House itself must suspend Standing Orders, when two-thirds of the members were present. The Standing Orders said, no divulgement of the proceedings or evidence before a Committee should be made until the final report of the Committee was brought before the House. Again, let them look at the inconvenience. Here they had statements

Mr. Hamlin

and counter-statements of what had happened in Committee. What did they know authentically of what happened in Committee? Until yesterday he knew nothing of the case, and his position, he supposed, was the same as that of many others. He believed they knew little more now. Therefore it was not right to ask them to give a distinct decision upon an issue which they could not properly decide until they authentically had the whole of the proceedings before them, because the issue raised clearly reviewed the whole of the proceedings of the Committee. Therefore he would say that if they took this course of giving effect to the wishes of the Committee for the production of a witness who happened to be in gaol, without having the whole proceedings of the Committee before them, they raised an issue which it was impossible for honorable members to decide. He argued that the order of this House was simply a formal administrative act, at the instance of the Committee to whom they had referred the subject of the petition for consideration. The fact of the witness being in gaol was simply an accident. If he had as a free man lived in Wanganui, he could have been summoned in due course to appear before the Committee. He happened to be in gaol, and it therefore required the formal order of this House to have him produced. It did not raise the question whether, in their opinion, Worgan's evidence was necessary in the case under the consideration of the Committee. With regard to the amendment of the honorable member for Clive, he did not quite understand the object of it. The first part of it stated that the witness was not to be summoned until the Committee had satisfied themselves that the petition was *bonâ fide*, and came from the petitioners. It was the first duty of the Committee to be satisfied that the prayer of the petition was *bonâ fide*, and that the petitioner was responsible for the petition. They had a statement from an honorable member that he knew of his own knowledge that the petition proceeded *bonâ fide* from the petitioner. They should therefore accept that statement. The interpretation given to the second part of the amendment was against the argument used in this debate. The Premier stated that, if the petition proceeded from the petitioner, then Mr. Worgan should be produced. The argument they had heard was, that the witness should not be heard until they knew that the petitioner could not proceed in a Court of law: if therefore they allowed the witness's evidence to be given before they knew whether the petitioner could proceed in a Court of law, they did away with the main substratum of the arguments given in the House against the production of the witness at all. As he understood the amendment, it would improperly interfere with the proceedings of the Committee, which were not before the House. They should place all reliance upon the Committee, and give formal effect to their request for the production of the witness they considered necessary to be examined. He hoped the amendment would be withdrawn, or, if not withdrawn, that it would be negatived, and that the House would act in the same manner as the House of Commons did

in similar cases. He had looked at two precedents in the Journals of the House of Commons, and *Hansard* showed that no objection was taken in either case to an order being issued to the keeper of a gaol to produce a prisoner required to give evidence before a Committee. The order was given without any debate taking place. The whole proceedings were simply formal, in order that the inquiry of the Committee might at once be proceeded with, and justice done.

Mr. J. T. FISHER would not trouble the House with many remarks, as a good deal of time had already been taken up in discussing this matter. He thought the Committee had cause to complain of the action taken by the Government and some members of the House. They had been treated with scant courtesy because they had done their duty. A large majority of the Committee had passed a resolution, which they brought before the House and asked that it should be adopted. Because the Committee had done that, they were jumped on—to repeat an expression already used—by the Government and some members of the House. He thought the Government should rather support the Committee, who took a good deal of work on themselves. So long as the Committee did their duty, and did not go outside their functions, they were, at all events, deserving of the protection of the House, and he hoped the House would protect them by not passing the amendment.

Question put, "That the word 'not' be inserted before the word 'issue;'" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	21
Noes	...	...	...	...	44
Majority against	...	...	...	...	23

AYES.

Major Atkinson,	Mr. Seymour,
Mr. Bain,	Mr. Stevens,
Mr. Beetham,	Mr. Studholme,
Mr. Driver,	Colonel Trimble,
Mr. Gibbs,	Mr. Whitaker,
Mr. Hall,	Major Willis,
Mr. Hursthouse,	Mr. Wright,
Mr. Mason,	Mr. Richardson.
Mr. Oliver,	<i>Tellers.</i>
Mr. Rolleston,	Mr. McLean,
Captain Russell,	Mr. Ormond.

NOES.

Mr. Acton Adams,	Mr. Moss,
Mr. Allwright,	Mr. Murray,
Mr. Andrews,	Mr. Pyke,
Mr. Ballance,	Mr. Reeves,
Mr. Barron,	Mr. Reid,
Mr. Bryce,	Mr. Seddon,
Mr. Dick,	Mr. Shanks,
Mr. Finn,	Mr. Sheehan,
Mr. Fulton,	Mr. Shephard,
Mr. George,	Mr. Speight,
Mr. Gisborne,	Mr. Swanson,
Sir G. Grey,	Mr. Tainui,
Major Harris,	Mr. Tawhai,
Mr. Hislop,	Major Te Wheoro,

Mr. W. J. Hurst,
Mr. Hutchison,
Mr. Ireland,
Mr. Kelly,
Mr. London,
Mr. Macandrew,
Mr. McDonald,
Mr. Montgomery,
Mr. Moorhouse,

Mr. Thomson,
Mr. Tole,
Mr. Tomoana,
Mr. Turnbull,
Dr. Wallis.

Tellers.

Mr. De Lautour,
Mr. Hamlin.

PAIRS.

For.
Mr. H. Hirst,
Mr. Pitt.

Against.
Mr. J. T. Fisher,
Mr. Brown.

The amendment was consequently negatived, and the resolution agreed to.

WELLINGTON-FOXTON RAILWAY.

Mr. HUTCHISON said that, by leave of the House, he would like to ask the Government a question without notice. It was on a very important subject, affecting this part of the colony. The question he wished to ask was as follows: Whether the Government are prepared to propose such an amendment of the law as to permit them to accept tenders for separate sections of any railway lines which have been sanctioned by Parliament; and whether, in this way, they will now ask the sanction of this House to enable them to deal at once with a tender which has been already provisionally accepted for the first section of the Wellington-Foxton line. He did not know whether he was at liberty to make any remarks on this question; but he might state, with the permission of the House, that up till last evening it was understood—he thought, by the whole of the public—that this tender was all but accepted, although it was not legally so. It was a tender for the first section of the line, from Wellington to Wadestown—the first portion of the Wellington-Foxton Railway. Last evening some of them came to understand that the tender was not accepted—in point of fact, that the Government did not intend, as he understood, to ask the sanction of the House that the work should be carried on; and his constituents, and, in fact, the whole of the public in this quarter of the North Island, were very much concerned to know whether the Government meant to go on with this contract, being led to understand that the thing was distinctly settled, as a work which the Wellington people ought to get commenced, unless the Auckland people were going to absorb—

Hon. MEMBERS.—Question, question.

Mr. SPEAKER.—I do not think the honorable member is at liberty to make these observations in asking a question without notice.

Mr. HALL said he would ask the honorable member to give notice of his question.

Mr. HUTCHISON.—I think that is very—

Mr. SPEAKER.—The honorable member cannot compel the Government to answer a question without notice.

Mr. HUTCHISON said he would move the adjournment of the House.

Mr. SPEAKER said the honorable member could not ask the Government to answer a ques-

tion on a motion for the adjournment of the House.

Mr. HUTCHISON said he was going on to say that it was exceedingly unsatisfactory to the public for the Premier simply to ask him to give notice of his question. The Government must know whether or not they were going to ask the sanction of the House for this vote; and the public interests were very much concerned in the matter. He understood that the contractor had made his arrangements for the carrying-on of this contract. Besides, one of the objects for at once proceeding with it was this: A very large deputation waited recently on the Government, and they had an assurance that the work would be commenced at once, to relieve an overburdened labour-market; and there was not then a shadow of a hint that this thing would not be done immediately on the contract being accepted. Of course it was quite clear it required the sanction of the House, but he was sure that sanction would be given at once if the Government asked for it.

Hon. MEMBERS.—No, no.

Mr. HUTCHISON said that some honorable members said "No." All he could say was this: that if honorable members on the opposite side of the House were not prepared to sanction it, honorable members on his side were prepared to do it the moment they were asked.

Mr. HALL had only to say, in answer to the statement of the honorable member for Wellington City, that the question was under the consideration of the Government. The honorable gentleman knew that the Government had serious difficulties to contend with in the matter. The honorable gentleman had been told of these difficulties, and his speech that night, therefore, was an unfair, unjust, and unreasonable one. The honorable gentleman knew that the Government had great difficulties to contend with, and they were doing their very best to meet them. He also knew that they had asked for a sum of money to be expended in affording work to the unemployed, and that, too, on this very railway. The Government would do their utmost to afford employment wherever it could be reasonably asked; and the postponement of this contract would not prevent that employment being afforded. He was sure that the House would not expect the Government to answer such a question off-hand. They should have reasonable notice—a reasonable time to prepare their answer; but the honorable gentleman had done an unreasonable thing, and, with the knowledge he possessed, a very unfair thing also.

Mr. HUTCHISON said he was not aware of any unfairness on his part. He gave notice that he would ask the question next day.

Sir G. GREY thought it would be reasonable that the House should be told in what manner the honorable member for Wellington City had acted unjustly. He did not think it was fair to put any honorable member down with an assertion of that kind without giving a statement to the House. If the honorable member for Wellington City had acted unjustly, unfairly, and unreasonably, he thought the House ought to be told in what respect. He did not think it would

be a fair thing to put the honorable gentleman down in that way.

Motion for adjournment, by leave, withdrawn.

PROTECTION OF ANIMALS BILL.

Mr. WHITAKER, in moving the second reading of this Bill, said that section 16 of "The Protection of Animals Act, 1873," provided that—

"No person shall take, kill, or pursue, or use any dog, gun, net, or other engine for the purpose of taking, killing, or pursuing, any game until such person shall have taken out a license to kill game under this Act, and paid the duty hereby made payable thereon; and, if any person shall offend against the provisions of this section, he shall be liable to a penalty not exceeding twenty pounds."

There was no alternative, and, under the Justices of the Peace Act, in default of payment, offenders were sent to gaol. His object in introducing the Bill was to prevent imprisonment in this country for a breach of what were called the game-laws. He sympathized with the acclimatization of animals and birds, and would be one of the last to interfere with those clauses of the Act which would afford protection to newly-imported birds and animals, and therefore would wish to see the penalties continued in those cases until they had become thoroughly acclimatized; but he wished to see the laws so altered that after a certain period had elapsed these birds might be declared to be "game." He would not remove the penalties against those persons who shot birds or animals out of the proper season, because they ought not to be swept off the face of the earth; but what he did object to was that persons who shot birds or animals which had become acclimatized so far as to enable them to be called game should be punished by imprisonment. The matter had been brought under his notice by a case, which was heard in his own district, of a person in the Township of Ngaruawahia, who shot some pheasants without having a license. That man was brought before the magistrate, who, of course, had no option but to carry out the law, and what was certainly an excessive penalty was inflicted. It was true the man had been warned, and it appeared that, in spite of the warning, he shot three pheasants: he was fined £5 for each bird, making £15 in all, the costs in the case bringing up the total to £31 10s. The man was a shoemaker in the township, who was not very well off, and, being unable to pay the fine, he had to undergo two months' imprisonment. Without arrogating to himself any claim to be particularly liberal, he (Mr. Whitaker) certainly did not desire to see the game-laws perpetuated in New Zealand; and he wished to see the law so framed that, when birds became so plentiful as to be denominated game, no person should be imprisoned for shooting them. It had been said that the penalty had been provided for revenue purposes; but, when it came to imprisoning a person in order to raise revenue, he did not think the end justified the means. In this case the man was taken away from his family, who suffered in consequence of his being put into gaol.

Mr. Speaker

Mr. J. T. FISHER would support the second reading of the Bill, although he thought it scarcely went far enough. He would like to see game protected during the breeding season, but he objected to the game-laws being introduced into New Zealand.

Mr. GISBORNE asked the mover to explain what power, if this Bill were passed, the magistrate would have for enforcing the penalty, in the event of the person refusing to pay.

Mr. MURRAY said the remarks of the honorable gentleman who introduced the Bill were perfectly correct. The case to which that honorable gentleman referred was brought under his notice also, and was one of extreme hardship. They had heard of people in the Old Country being led up to be hanged, and their children being reduced to penury, for violation of the game-laws. In this case a poor cobbler of Ngaruawahia was taken away from his labour, dragged from his home, torn from the bosom of his family, and subjected to the cruel indignity of being imprisoned for two months, for shooting three pheasants. They had had in the Old Country evidence of the cruel wrongs that might be inflicted upon people by the provisions of the game-laws, and here they should jealously guard themselves against the possibility of such cruel inflictions. He thought the Bill did not go far enough. Every person who owned land ought to have the right to destroy the vermin which a certain class of people introduced into this country. He looked upon those persons who formed themselves into acclimatization societies as instances of the truth of Dr. Watts's words, that

Satan finds some mischief still
For idle hands to do.

Mr. WHITAKER said there was an Act in existence which gave people the right to shoot over their own land. In answer to the remark of the honorable member for Heathcote, he might state that animals and birds were protected in the close season, and he had no wish to interfere with that provision, because he thought that persons should be subjected to imprisonment for shooting animals and birds during the close season. As to the remark of the honorable member for Totara, it was not a question, in his mind, how the penalty was to be recovered. All he knew was this: that at the present time it was possible for a man to be imprisoned for shooting game without a license, and he thought it should be made impossible. He would leave the power to inflict a fine, so that the debt would always hang over a person who was fined, and when he had the money it could be got from him; but he would do away with the power to imprison a man who could not pay.

Bill read a second time.

ONEHUNGA WATER RESERVE BILL.

This Bill was considered in Committee.

Clause 3.—Former grant cancelled.

Mr. SWANSON moved, That the following words be added to the clause: "Provided that the Onehunga Borough Council shall do nothing to interfere with the public access to and the free use of the contiguous springs for public purposes."

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	34
Majority against...					7

AYES.

Mr. Acton Adams,	Mr. Murray,
Major Atkinson,	Mr. Oliver,
Mr. Bain,	Mr. Rolleston,
Mr. Beetham,	Mr. Saunders,
Mr. Brown,	Mr. Sheehan,
Mr. Hall,	Mr. Speight,
Mr. H. Hirst,	Mr. Stevens,
Mr. W. J. Hurst,	Mr. Swanson,
Mr. Hursthouse,	Major Willis,
Mr. Hutchison,	Mr. Reader Wood,
Mr. Ireland,	Mr. Wright.
Mr. Johnston,	<i>Tellers.</i>
Mr. McLean,	Mr. Gisborne,
Mr. Moss,	Mr. Tole.

NOES.

Mr. Allwright,	Mr. Pyke,
Mr. Andrews,	Mr. Reeves,
Mr. Barron,	Captain Russell,
Captain Colbeck,	Mr. Seddon,
Mr. De Lautour,	Mr. Shanks,
Mr. Finn,	Mr. Shephard,
Mr. J. T. Fisher,	Mr. Studholme,
Mr. George,	Mr. Tainui,
Mr. Gibbs,	Mr. Tawhai,
Major Harris,	Major Te Wheoro,
Mr. Hislop,	Mr. Thomson,
Mr. London,	Mr. Tomoana,
Mr. McCaughan,	Colonel Trimble,
Mr. McDonald,	Mr. Turnbull.
Mr. Montgomery,	
Mr. Moorhouse,	
Mr. O'Rorke,	
Mr. Pitt,	

Tellers.

Mr. Hamlin,
Mr. Whitaker.

The amendment was consequently negatived, and the clause agreed to.

Mr. TOLE proposed a new clause securing to the residents of Onehunga Borough and Eden County access to the springs free of charge.

Question put, "That the clause be read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	34
Majority against...					12

AYES.

Mr. Bain,	Mr. Rolleston,
Mr. Brown,	Mr. Saunders,
Mr. Hall,	Mr. Speight,
Mr. W. J. Hurst,	Mr. Stevens,
Mr. Hursthouse,	Mr. Swanson,
Mr. Hutchison,	Major Willis,
Mr. Ireland,	Mr. Reader Wood,
Mr. Johnston,	Mr. Wright.
Mr. McLean,	
Mr. Moss,	<i>Tellers.</i>
Mr. Murray,	Mr. Gisborne,
Mr. Oliver,	Mr. Tole.

NOES.

Mr. Allwright,	Mr. Pitt,
Mr. Andrews,	Mr. Pyke,
Mr. Barron,	Mr. Reeves,
Mr. Beetham,	Mr. Seddon,
Captain Colbeck,	Mr. Shanks,
Mr. De Lautour,	Mr. Shephard,
Mr. Finn,	Mr. Studholme,
Mr. J. T. Fisher,	Mr. Tainui,
Mr. George,	Mr. Tawhai,
Mr. Gibbs,	Major Te Wheoro,
Major Harris,	Mr. Thomson,
Mr. H. Hirst,	Mr. Tomoana,
Mr. Hislop,	Colonel Trimble,
Mr. Lundon,	Mr. Turnbull.
Mr. McCaughan,	
Mr. McDonald,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Hamlin,
Mr. O'Rorke,	Mr. Whitaker.

The clause was consequently negatived.

Bill reported to the House, and read a third time.

LICENSING BILL (No. 2).

Mr. ACTON ADAMS moved, That this Bill be considered in Committee.

Question put, "That I do leave the chair, for the purpose of going into Committee on this Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	34
Noes	...	...	...	19
Majority for	...	...	...	15

AYES.

Major Atkinson,	Mr. Rolleston,
Mr. Beetham,	Mr. Saunders,
Captain Colbeck,	Mr. Sheehan,
Mr. De Lautour,	Mr. Stevens,
Mr. Finn,	Mr. Swanson,
Mr. Gibbs,	Mr. Tainui,
Mr. Hall,	Mr. Tawhai,
Mr. H. Hirst,	Major Te Wheoro,
Mr. Hursthouse,	Mr. Tole,
Mr. Hutchison,	Mr. Tomoana,
Mr. Johnston,	Colonel Trimble,
Mr. Lundon,	Mr. Turnbull,
Mr. McCaughan,	Major Willis,
Mr. McDonald,	Mr. Wright.
Mr. McLean,	
Mr. Murray,	<i>Tellers.</i>
Mr. Oliver,	Mr. Acton Adams,
Mr. Pitt,	Mr. Whitaker.

NOES.

Mr. Allwright,	Mr. Montgomery,
Mr. Andrews,	Mr. Moss,
Mr. Bain,	Mr. Pyke,
Mr. Barron,	Mr. Seddon,
Mr. Brown,	Mr. Shanks,
Mr. Dick,	Mr. Shephard,
Mr. George,	Mr. Thomson.
Mr. Hamlin,	<i>Tellers.</i>
Major Harris,	Mr. Hislop,
Mr. Ireland,	Mr. Speight.

The motion was consequently agreed to, and the House went into Committee on the Bill.

Mr. Tole

IN COMMITTEE.

Mr. SPEIGHT moved, That the Chairman do report progress, and ask leave to sit again.

Question put, "That I do report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	21
Noes	...	...	...	24
Majority against	...	...	...	3

AYES.

Mr. Allwright,	Mr. Pyke,
Mr. Andrews,	Mr. Reeves,
Mr. Barron,	Mr. Saunders,
Mr. Dick,	Mr. Shanks,
Mr. Finn,	Mr. Tainui,
Mr. Hamlin,	Mr. Thomson,
Major Harris,	Mr. Tomoana,
Mr. Hislop,	Mr. Turnbull.
Mr. Hutchison,	<i>Tellers.</i>
Mr. Ireland,	Mr. George,
Mr. Montgomery,	Mr. Speight.

NOES.

Major Atkinson,	Mr. Rolleston,
Mr. Bain,	Mr. Sheehan,
Captain Colbeck,	Mr. Shephard,
Mr. De Lautour,	Mr. Stevens,
Mr. Hall,	Mr. Swanson,
Mr. W. J. Hurst,	Mr. Tawhai,
Mr. Hursthouse,	Major Te Wheoro,
Mr. Johnston,	Mr. Tole,
Mr. Lundon,	Colonel Trimble.
Mr. McCaughan,	
Mr. McDonald,	<i>Tellers.</i>
Mr. McLean,	Mr. Acton Adams,
Mr. Murray,	Mr. Pitt.

The motion was consequently negatived.

Progress was subsequently reported, and leave given to sit again.

The House adjourned at one o'clock a.m.

LEGISLATIVE COUNCIL.

Friday, 7th November, 1879.

Second Reading—Third Reading—Oamaru Waterworks Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

SECOND READING.

Church Property Trust (Canterbury) Bill.

THIRD READING.

Liverpool and London and Globe Insurance Company's Bill.

OAMARU WATERWORKS BILL.

The Hon. Mr. MILLER, in moving the second reading of this Bill, said it was a measure authorizing the Corporation of Oamaru to borrow money for the purpose of completing the waterworks of the Town of Oamaru. An Act was

passed in 1875 called "The Oamaru Waterworks Act, 1875," by which the Corporation was empowered to borrow £60,000 for waterworks. That sum was borrowed, the loan being floated in London, and the waterworks were commenced; but he was sorry to say that in this instance, as in many other cases, it was found the sum borrowed was not sufficient, and it became necessary to ask for power to borrow £40,000 more. Power to do that was granted by the Oamaru Waterworks Act Amendment Act of 1878; but it was discovered that the objection to placing so small a sum as £40,000 on the London market would be fatal to the negotiations, and therefore the local authorities were applying to Parliament to cancel this loan of £40,000—to give power to float the whole sum of £100,000—

The Hon. Mr. MANTELL.—A mere clerical error.

The Hon. Mr. MILLER was afraid he could not make that excuse. It would be noticed that £60,000 of that sum had already been raised; but the loan would be called a £100,000 or £110,000 loan, as it was described in the Bill, care being taken that the rights of the first debenture-holders should be secured intact. That was the object of the Bill. He might say that the Local Bills Committee had inquired into the Bill, and had reported that the Standing Orders had not been complied with, inasmuch as the advertisement which had been published giving notice of the Bill mentioned the sum of £100,000 instead of £110,000, the sum named in the Bill; but he thought, if the Council were willing, that difficulty might easily be got rid of by a reduction of the sum mentioned in the Bill to a sum of £100,000. The works were now nearly completed, and if this money could be secured the Corporation expected to get the water into the town by the commencement of next year; while, in the event of the negotiation for securing this £40,000 failing, the difficulties in the way of the Corporation would be almost insuperable, and the people would have to pay interest on the £60,000 borrowed without deriving any corresponding advantages. Of course there could be no revenue from the water supply until the supply commenced, but interest must go on. Therefore it was of the greatest possible importance that this money should be obtained, and he hoped there would be no objection to the Bill being read a second time, it being understood that, if desired, amendments could be introduced in Committee.

The Hon. Mr. MANTELL had hoped that the honorable gentleman would have accepted the suggestion he interjected, and have treated the extra £10,000 as a mere clerical error, because, while it was very right and proper to give all information in the notices, still the information given in the notices could not prevent Parliament amending a Bill in any direction it pleased. The notices given with respect to local Bills simply treated the Bills as the promoters intended to introduce them; but the promoters could not be held liable for any alterations made in the provisions of Bills by the Parliament.

The Hon. Mr. WATERHOUSE thought a great deal could be said about this little Bill, and he

should like to hear something more in reference to it than he had yet heard. His honorable friend the mover had not referred at all to clauses 3, 4, and 5, which were really very important clauses, and the effect of which required to be very carefully considered, not only by the Council, but also by persons qualified to give legal opinions entitled to the confidence of the Council. He did not know whether the attention of the Hon. the Attorney-General had been directed to the three clauses; but a cursory glance should convince the honorable gentleman that the bearing of these clauses required to be most carefully considered. Under the Act of last year it was true the Oamaru Corporation was authorized to borrow certain moneys, and these moneys were to be borrowed under the provisions of "The Municipal Corporations Act, 1876," which rendered it necessary that the assent of the ratepayers should be obtained in the first instance. That provision in the Act of last year was repealed under the Bill before them, and it was proposed that certain clauses of the Municipal Corporations Waterworks Act of 1872 should be introduced, relieving the Corporation of the necessity for obtaining the sanction of the ratepayers—a principle which had been adopted in all borrowing Acts for the last three or four years. The proposal was to authorize the Corporation to increase the sum to be borrowed from £60,000 to £100,000, and to that extent to mortgage the rates of the Corporation, without the consent of the ratepayers being first obtained. Clause 4 incorporated certain provisions of the Municipal Corporations Waterworks Act of 1872, which put the borrowing powers exclusively in the hands of the Corporation. In section 5 there was another principle inserted, and he should like to know what was the bearing of that clause. It stated that the waterworks, which had been constructed under the Municipal Corporations Waterworks Act of 1872, should, when Part II. of "The Municipal Corporations Act, 1876," should have been adopted by the said Council, be deemed to be waterworks within the meaning of section 241 of the said Act. He did not know—but perhaps his honorable friend Mr. Miller could inform the Council, or perhaps the Attorney-General could give some information on the subject—what authority there was for any Municipal Corporation to adopt a portion, or even the whole, of the Municipal Corporations Act. As honorable members were aware, Corporations in the Provincial District of Otago were exempt from the provisions of the Municipal Corporations Act; but here it was proposed to give, or rather it was supposed that the Corporation had power to adopt, certain clauses from the Municipal Corporations Act of 1876. He called the attention of the Hon. the Attorney-General to the circumstance, because he thought that clause required a good deal of investigation. As to the point about the difference in the two sums of money, he thought that was a comparatively small matter, and that the Council, if they agreed to the principle of the Bill, ought to allow the amount to be reduced from £110,000 to £100,000. The others were matters of importance; but it

must be remembered that the Local Bills Committee had not dealt with them, and therefore that they were wholly in the hands of the Council, and it was for the Council to say whether they would require further information on the subject.

The Hon. Colonel BRETT presumed that, unless this Bill were passed, the inhabitants of Oamaru would not be able to obtain the water: nevertheless it was desirable, before the Council passed this Bill, to know whether the ratepayers were willing to pay the rates in connection with borrowing this sum. He believed in encouraging the system of supplying water to towns. The first thing that even savages did was to bring water to their dwellings—it was one of the first things that followed the introduction of civilization—and he considered it was the duty of the Council to pass this Bill if there were no very serious objection.

The Hon. Mr. HART said this Bill might be simply referred to as a Bill which showed the absolute necessity which existed for an inquiry of an exhaustive character into such measures. The Oamaru Waterworks Bill of 1875 was as much discussed at its second reading in the Council as any Bill ever was within his recollection. All the information that outside members could give was given, but still the Council was left in ignorance of the fact that at the time of the passing of the Bill the Corporation on behalf of whom it passed had no knowledge of the spot from which they were to get the water. That statement was afterwards made in the Council and not denied. Therefore power was given to raise money, when it was not known what was to be done with the money. To get water was unquestionably a good thing, but to pass a Bill recklessly to enable people to borrow money for that purpose was neither necessary nor desirable; and, if the fact was as stated, it was a very unwise thing to pass any Bill on this subject before full investigation had taken place.

The Hon. Mr. G. BUCKLEY said this Bill appeared to have passed through the Local Bills Committee; but he was sorry to see so vague a report upon the Bill, because there could be no more important Bill brought before the Council than this one. Evidently the Committee had not gone into the merits of the matter. Last year, it would be within the recollection of honorable members, there was a Bill passed called "The Oamaru Waterworks Act 1875 Amendment Act, 1878," in regard to which there was considerable discussion. That was an Act to give the Corporation power to borrow £40,000 in addition to a sum of £60,000 already authorized to be raised. The Bill was made to fit in with "The Municipal Corporations Act, 1876," which enabled municipalities to decide upon borrowing without coming to the Parliament for any special Act. That Act gave the Corporation large powers of borrowing for their own purposes—for gasworks and for waterworks—and, as there seemed to be some deficiency in regard to waterworks which had been commenced before the coming into operation of the Bill, it was necessary to bring in an amending Bill last session; so that, if the Council were to give the power asked for in this case,

Hon. Mr. Waterhouse

they would be stultifying themselves and altogether doing away with the Municipal Corporations Act of 1876. No matter what Bills came to the Council asking for such powers, they could not refuse to pass them, because it would be said, "Oh, you have done so in the case of Oamaru." There was a most important principle involved in this Bill, and the Council should hesitate before passing it. It was not a question about the water being required—every one knew it was required—but the question was, whether this Bill should be passed. He thought the honorable member (Mr. Miller) very much to blame, because, when the original Bill was brought in, enabling the Corporation to borrow £60,000, he was told by him (Mr. Buckley) that a very much larger sum would be required; but he flourished the estimate of the engineer in the face of the Council, and said the money asked for was quite sufficient.

The Hon. Mr. MILLER.—I said it was estimated to be sufficient.

The Hon. Mr. BUCKLEY.—Well, that was the same. No doubt this was very unfortunate for the district, but he had at the time assured the honorable member that the works would cost a good deal more than the amount estimated. But it was not the right way to get out of the difficulty to come to the Council and ask them to take a course which would altogether do away with the borrowing powers given in the Municipal Corporations Act of 1876. What would be the effect, if they passed this Bill? They would be inundated with similar requests from almost every Corporation in the colony. It would be much better to repeal the Municipal Corporations Act at once, because it was there distinctly laid down that the borrowing should be under a certain system, and by the consent of the ratepayers. He did not altogether agree with the reason given for the introduction of the Bill. The honorable member stated that the objection was, that £40,000 was too small to borrow. It was all very well to tell that to some people, but it was known there was not bad security for the £60,000; but as to the £40,000 there was very little security. In the event of these waterworks failing, the rates of the whole town would barely pay interest on the £60,000; so that the question came in, where were the holders of the £40,000 debentures to get their interest from? The reason for their not floating was that the security was looked upon as bad; and no better reason could be given. When the first security was given it was taken up by the bank; but the second security was taken up by private persons, because the bank would have nothing to do with it. That was the reason for the present Bill; and the Council, by passing it, would go behind the Municipal Corporations Act. Therefore they should have nothing to do with it in any shape whatever. At the same time, he would like to refer to the letter which appeared in the *London Times* respecting waterworks loans, and he would quote it to show what difficulty they might get into with regard to the present one. In the money article of the journal referred to, on the 20th August, there was a reference to the City of Auckland Waterworks Loan. One portion of

that loan was placed through the Bank of New Zealand; but the Bank refused to have anything to do with the second portion of the loan, which was floated through private persons. The letter in the *Times* said this:—

"I have sought explanations on this subject from the Bank of New Zealand through my bankers, but without any satisfactory result.

"I am told that the second issue is but a small one, and that the security for both issues is ample; that the second issue has been legalized by special Act of the Government of the colony without consideration of the consequences, evidently by mistake; that the bank protested against the sale of the second issue by the municipality as an equal charge with the first issue; but, notwithstanding the protest, the bonds were sold in the colony, and are now being placed in investors' hands in this market."

Then, this was the way the writer went on to describe it:—

"The act may be legal; but that this watering of security is grossly inequitable there can be no doubt, and, if applied in a small matter of this kind, may be hereafter applied to the multifarious securities of a similar class with which this market is being deluged; and I trust, Sir, unless some satisfactory explanation can be given, that you will raise your powerful voice against a course which, if persevered in, will seriously affect, if not destroy, the credit both of the New Zealand Government and the municipalities."

He should certainly vote against the Bill, because all the powers required by it were contained in "The Municipal Corporations Act, 1876."

The Hon. Colonel WHITMORE confessed that what the Hon. Mr. G. Buckley had stated had a considerable amount of force; but, on the other hand, it must be borne in mind that last session the Council went carefully into this matter, and decided that the whole of the expenditure would be entirely thrown away unless there was a sufficient sum borrowed to complete the works. Sixty thousand pounds, it was found, would not bring the water into the town and lead to a remunerative result. That they were told at the time, and they found that there must be £100,000 spent, or £40,000 more, to bring the water into the town. As to paying interest on the additional £40,000, it was last year pointed out that the gross rates of the Town of Oamaru would be scarcely sufficient to pay for this undertaking; but it must be remembered that the expenditure of this £40,000, by completing the work, would be productive of a great deal of additional security. There was every prospect of the transaction being profitable—of it leading to a remunerative result; and therefore it was unfair to look upon the rates of the town as providing the only security. He had heard it stated that if good water were obtainable in proper quantities not only would manufactures be established in Oamaru, but the population would be exceedingly likely to increase. It was becoming now a part of some importance, and the want of good water was pressing itself very much upon the inhabitants. He hoped sufficient power would be given to enable this work to be completed; and if the honorable gentleman who

introduced the Bill would tell them that it could not be completed for the money already authorized, and that there was every reasonable prospect that it would be remunerative when constructed, then, seeing that authority had already been given to nearly finish the work, they would be very foolish to allow that money to be laid out in a way which would not be reproductive, by refusing to give the full authority that was required to complete the work.

The Hon. Mr. WHITAKER understood that the reason why it was desired that the authority should be given in this Bill instead of under the Municipal Corporations Act was because there was a difficulty in the two loans being under different Acts—that they should both be introduced into the same Act. A Bill was submitted to him the other day which contained precisely the same proposal as this Bill, and he was asked to support it, but he refused. He said, "You are taking away from the burgesses in these towns the power of saying whether the money shall be borrowed or not." The principle had been laid down by the Municipal Corporations Act that in all cases the burgesses should be consulted before any special loans should be raised, and he thought that principle was a very good one, and, indeed, that it was wrong to attempt to break through it. He would therefore suggest to the Hon. Mr. Miller what he suggested to the parties who were bringing forward the other Bill,—that the money should not be raised without the clauses providing for the assent of the burgesses being introduced into the Bill. That, he thought, would meet the objections which had been raised by the Hon. Mr. Buckley, and which he thought were reasonable objections. It was desirable that the authority for the two loans, both being for the same purpose, should be contained in one Act. There was an objection which had been raised, at all events in one instance, to one part of a loan being under a special Act and another part under the Municipal Corporations Act, and they would get rid of the difficulty in this case by introducing such a provision as he had mentioned, either by reference or by inserting the clauses. In the other Bill to which he had alluded it was done by reference to the different clauses, which were to be deemed part of the Bill. The objection that the burgesses had not been consulted would be got rid of completely, and his honorable friend would get the money for the purpose of completing these waterworks if his (Mr. Whitaker's) proposal were adopted.

The Hon. Mr. MILLER was very sorry to interrupt the honorable and learned gentleman, but there was such an entire misapprehension about the Bill that he thought he might be excused. The burgesses had been consulted about this loan, they were consulted about the £40,000 loan last year, and everything was done in perfect order. This was an additional sum of money.

The Hon. Mr. WHITAKER said the Municipal Corporations Act required that the assent of the burgesses should be given in an authoritative way, and that it should be given by means of a

poll. He would ask the honorable gentleman if a poll had been taken.

The Hon. Mr. MILLER. — Yes; and everything done in proper form.

The Hon. Mr. WHITAKER had not understood that that was the case, and his honorable friend Mr. Buckley had, he thought, taken exception without understanding that that was so. If a poll had been taken, and the burgesses had given their assent, then it removed the objection he had that they would be allowing Municipal Councils to borrow money behind the backs of the ratepayers while the latter were called upon to pay. Another Bill was submitted to him some little time ago of a similar character, and he then suggested the same difficulty. He said, "You can raise the money under the Municipal Corporations Act, but you must comply with the terms of that Act." But they said that was exactly what they did not want to do—that, if they put it before the burgesses in that way, the probability was that they would not get the money. Well, that was exactly the position in which they ought to be placed: if the burgesses did not choose to tax themselves, they ought not to be allowed to get the money. It was a principle that should not be broken in upon. If his honorable friend could satisfy him—and he would take his word—that the burgesses had been consulted, and that they had done all that was necessary in order to give their assent to the raising of this additional money, he should not oppose the second reading of the Bill. However, he would support the second reading of the Bill under any circumstances, and when the Bill came before them in Committee they could discuss this question again.

The Hon. Captain FRASER moved, *pro forma*, That the debate be adjourned till Tuesday next.

The Hon. Mr. WATERHOUSE would second that motion, because he thought it desirable that they should have a much clearer apprehension of this subject than they had at present. His honorable friend Mr. Miller had stated—and his statement had caused the Attorney-General to completely subside—that the ratepayers had given their assent to this loan. The ratepayers gave assent to a proposed loan to be raised under the Act of 1878. Another loan was raised under that Act, and now a clause in this Bill stated, "The Act of 1878 is hereby repealed."

The Hon. Mr. MILLER.—This is the same money.

The Hon. Mr. WATERHOUSE said it was the same money, but different security. The ratepayers gave their assent under an Act that was to be repealed, and for a loan that could no longer be raised. It was now proposed to raise, under this Bill, an additional sum of £40,000, and under this Bill the ratepayers would not have a voice in the matter, and would not be in a position to give the security that was proposed in the Municipal Corporations Act.

The Hon. Dr. POLLEN said it was quite clear that there was a misapprehension on this subject. The first loan was raised under the authority of the Municipal Corporations Waterworks Act. When the second loan was authorized, it was to

be raised under the Municipal Corporations Act, which was quite a different affair. That Act prescribed that, in every case where loans were to be raised for purposes under it, a poll of the ratepayers should be taken. One was led to infer, from the fact that the Oamaru Waterworks Act of 1878 was proposed to be repealed, that the loan which was now proposed to be raised was to be raised under entirely different circumstances, and that this was an Act specially authorizing the raising of an additional loan, without reference to "The Municipal Corporations Act, 1876," and entirely freeing the persons concerned from the necessity of appealing to the ratepayers for their assent. He did not understand what the object of repealing this particular provision was, if the ratepayers had been consulted, and the whole thing were done in accordance with the Municipal Corporations Act of 1876.

The Hon. Mr. MANTELL, speaking to the question of adjournment, would suggest that time might be saved if the Council would consent to the second reading of the Bill, and then refer it to a Select Committee, which alone, he thought, would go satisfactorily into its provisions. He was sure that light had been thrown upon the question by the debate on the second reading which would materially assist a Select Committee in investigating the merits of the Bill. If read a second time, and referred at once to a Select Committee, to report in a week, the destiny of the Bill would then be settled sooner, and, if it was to be passed, it would be passed more quickly, than it otherwise would be. If it was to come to the other fate, that would be ascertained sooner also.

The Hon. Mr. G. BUCKLEY would oppose the second reading of the Bill, unless the mover allowed it to go to a Select Committee. One point which he had raised had not been touched upon at all by any of the honorable members who had spoken, and that was that, under "The Municipal Corporations Act, 1876," it was clearly defined that Municipal Corporations in future were only to borrow under that Act. If this Bill were passed, it would be the first departure from that Act; and, if they once made this a precedent, the Assembly would be flooded with other Bills from Corporations. That was what they had had to fight against for the last three years. Had they not to fight against it last year, when "The Oamaru Waterworks Act 1875 Amendment Act, 1878," was brought in? Was not that introduced in a somewhat similar form to this? And did the Council not alter it, and make the Corporation come under "The Municipal Corporations Act, 1876"? And now, for the simple reason given by the honorable gentleman—that the Corporation was unable to borrow the money under that Act in the London market—the Council was asked to go behind the Municipal Corporations Act, and assent to another Act of the Assembly. In the London market, the authority of a special Act was no doubt more valuable than the authority contained in the Municipal Corporations Act; but that was no reason why the Council should give that power. That was the great objection he made to this Bill, and he thought

Hon. Mr. Whitaker

the Council would stultify itself if it passed the measure in its present shape. The fact was, the Act that was passed before was perfectly correct: but the Corporation were unable to borrow under it, and they ought to take the consequences. There might be found a great many similar cases: in fact, at the present time several Corporations were quite unable to borrow under the powers of the Municipal Corporations Act, and perhaps it was a very good thing.

The Hon. Mr. WHITAKER said it appeared to him that if a work was proposed to be undertaken, and a loan raised for the purpose, the Council ought not to entertain the question. The Corporation, in such cases, ought to be referred to the Corporations Act of 1876; but where a loan had already been authorized, and the work commenced, and the application was merely for an extension of powers to enable the work to be completed, it was taken out of the general rule. There was a difficulty, no doubt, in borrowing first under a special Act, and then partially under the Municipal Corporations Act. Persons were not so willing to lend in such cases as they would be were the loan authorized under one Act. He did not think the Bill was open to all the objections raised by the Hon. Mr. Buckley. They would avoid the difficulty suggested by the honorable gentleman by dealing only with those cases in which there had been money already borrowed, and more was required to complete the work. He agreed with the honorable gentleman that the Municipal Corporations Act gave ample powers for such cases, and that the Assembly ought not to pass special Acts for purposes which could be carried out under the general Act. But he thought there were special cases; and this was a special case, in which work had already been authorized, and this was merely an application for an extension of the borrowing powers. Under the circumstances, the Bill ought to be read a second time.

Motion for adjournment, by leave, withdrawn.

The Hon. Mr. MILLER said he did not explain when moving the second reading of the Bill, because he really did not think it necessary, that this Bill did not seek to borrow any money above and beyond what had already been authorized by Parliament. It was in reality the same £40,000 that was asked for last session; and it seemed to him that, when the Hon. Mr. Waterhouse made a point of the ratepayers not having been asked about this particular Bill, it was, if he might use the expression without offence, a perfect quibble. The loan which was authorized in 1878 was assented to by the ratepayers of Oamaru, and all the steps were taken according to law. There was a poll, which resulted in an overwhelming majority declaring in favour of borrowing the money, and it was perfectly absurd to say now that the Corporation must go to the ratepayers again, and ask them to repeat all that they had already said. It was not an additional sum of money, but the same sum. Was it reasonable to say that because this Bill repealed the Act of 1878, and asked power to borrow the money in a different way—that was to say, to put the loan into a different shape—therefore they must go through

all these forms again? The object of the Bill was to enable the loan to be quoted as a £100,000 loan, because so small a loan as one of £40,000 could not be floated in the London money market. The Hon. Mr. Buckley had accused him of making all sorts of misstatements. He assured the honorable gentleman that he had never held out any extravagant or illusory idea about this scheme. On the contrary, he had been looking over what he said in 1875, and he challenged the honorable gentleman to find a single word to corroborate the accusations he had made. He then said,—

“But he did not think that, so far as this Bill was concerned, the ratepayers would have anybody but themselves to blame if, in the event of the loan being negotiated, the burden was unfortunately found to fall heavily upon them.”

He did not think that was a very sanguine view to take. The honorable gentleman had said that he (Mr. Miller) had not given the true reason. He gave as a reason that the Corporation could not float the £40,000 loan. What other reasons did he give?

The Hon. Colonel BRETT.—You want £40,000, and you say £100,000.

The Hon. Mr. MILLER said the honorable gentleman did not understand the Bill. He (Mr. Miller) gave a perfectly true reason. He said the £40,000 could not be floated, and the Corporation wanted to be allowed to call it £100,000. As to the security, perhaps it would be just as well if it were actually put in the Bill. The rate for ordinary purposes levied by the Municipality was 1s. 6d. in the pound. They were allowed by law to levy 2s. 6d. in the pound; and they proposed to devote 1s. being the balance between 1s. 6d. and 2s. 6d., which was not at present levied, towards the payment of interest upon this additional £40,000. In addition to that shilling rate, which would give £2,474, the Corporation proposed to appropriate the rents from certain municipal sections, amounting to £1,070. Those two amounts would make £3,544. The Bill, of course, provided that the security for the payment of the interest on the £60,000 should not be touched. What they wanted to do was to see what was the security for the £40,000. The security offered was a rate of 1s. in the pound, and the sum of £1,070, which was the actual revenue being derived from the municipal sections. He hoped the Council would agree to the second reading of the Bill. He was free to admit that he did not himself quite understand why it should be so extremely necessary to have one loan; but that was the advice received from the agents at Home, who said, “Get it made into one Bill and call it £100,000, and we can then get you the money; but we cannot do so as the matter stands at present.” It was the same in the case of the Oamaru Harbour Board loan for £100,000, which was not allowed to be negotiated all at once. The Council restricted them to the expenditure of £30,000 within two years, and they could not float so small a loan, and a Bill was coming before the Council again with the object of removing that restriction. This Bill proposed to do nothing that was wrong and; after all, it was the ratepayers’ affair. They had gone into the thing with their

eyes open, and were aware that they would have a very heavy rate imposed upon them. Of course, as in the case of all unfinished works, rumours were spread about that this work would not be a success; but his belief was, that it would be a very great success. He was informed that, if the money could be got to finish it, the water would be brought in in the early part of next year. Something like £70,000 had been already expended upon the work; and what would be the position of these people if the work was left unfinished? They must come to Parliament for assistance, because the interest on the money expended would have to be paid. There was no doubt whatever that some means must be found to complete the work. He trusted, therefore, the Council would assent to the second reading; and he had no doubt, with the assistance of the Attorney-General, the Bill could be put into such a shape as to provide for all that was required in a very simple manner, and not interfere with the other matters referred to by the Hon. Mr. Buckley.

Bill read a second time.

The Council adjourned at four o'clock p.m.

HOUSE OF REPRESENTATIVES.

Friday, 7th November, 1879.

First Readings—Third Reading—Native Affairs Committee: Summoning Witness in Custody—Hop-growing—Target Practice—Coal Import—Reprint of Statutes—Auckland-Taupo Railway—Wanganui-Patea Railway—Public Works Loans—Grey-mouth Native Reserves—Dunedin Railway Workshops—Railway Employés—Railway Benefit Society—Railway Construction—Newmarket Railway Workshops—Habitual Drunkards—Triennial Parliaments Bill—Elections Validation Bill—Qualification of Electors Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

High School Reserves Bill, Sheriffs Bill, Land Drainage and Improvement Bill, Southland High School Bill.

THIRD READING.

Primitive Methodists' Temporal Affairs Bill.

NATIVE AFFAIRS COMMITTEE: SUMMONING WITNESS IN CUSTODY.

Mr. SPEAKER informed the House that, in pursuance of the order made by the House for the production of G. B. Worgan as a witness, arrangements had been made for the removal of the prisoner from Wanganui Gaol to Wellington Gaol. He had recommended that course to be pursued in order to facilitate the examination of the witness, now in custody, and to provide for the safe custody of the prisoner whilst in Wellington. Instructions had been sent up by wire to the gaoler at Wanganui to send the prisoner down by the first steamer leaving Wanganui.

Hon. Mr. Miller

HOP-GROWING.

Mr. SHEPARD asked the Colonial Treasurer, Whether, in preparing his financial measures, he will consider the propriety of complying with the prayer of a petition from the hop-growers of Nelson, that the duty on imported hops be increased, the subject-matter of the said petition having been referred to "the serious consideration of the Government" by the Public Petitions Committee? He was sure the Colonial Treasurer would recognize the importance of this industry to many parts of the colony which were eminently suited to the cultivation of hops. It employed a large number of persons. Trade was now exceedingly depressed; and, at a time when a large addition to the revenue was required, it would probably be in the Treasurer's mind to assist the revenue of the country and at the same time secure a benefit to a great many persons who otherwise were likely to be thrown out of employment.

Major ATKINSON replied that this question was engaging the serious consideration of the Government, as also that of a Committee. The Government were very desirous to assist local industries in any way which might be thought right. Beyond that, he was unable to give any further information. The matter was being carefully considered.

TARGET PRACTICE.

Mr. SWANSON asked the Defence Minister, If he will cause to be laid before this House the report and proceedings of the Board of Officers assembled in Auckland to test the system of target practice prepared by Mr. Soal, with any papers supplied by that gentleman on the same subject? His object in asking this question was that he thought the report and proceedings referred to, and any other papers on the same subject, would afford valuable information to the Volunteers throughout the colony.

Mr. HALL laid the papers on the table.

COAL IMPORT.

Mr. LUNDON asked the Colonial Treasurer, If the Government intend to recommend the imposition of a duty on all coal imported into the colony? He had received a letter from the engineer of the Kawakawa Coal Mine asking that a duty of 3s. per ton should be put on all coal imported into the colony. The Waikato, Whangarei, and Kawakawa Coal Mines could now produce an ample supply of coal for the colony, and it was thought the time had arrived when a duty should be imposed on imported coal.

Major ATKINSON could only give the honorable gentleman the same answer that he had given to the honorable member for Waimea—namely, that the matter was under the consideration of the Government.

REPRINT OF STATUTES.

Mr. BALLANCE asked the Minister of Justice, If the Government intend to give effect to the recommendation contained in the interim report of the Reprint of Statutes Commission, laid before this House during the last session of the last

Parliament? It would be in the recollection of the House that a report of the Statutes Commission was laid on the table last session, in which further powers were asked for, to enable the Commission to carry on their work. He hoped to receive some satisfactory reply as to whether the Government intended to carry out the report of that Commission, and to give them the further powers asked for. He understood that a similar question had been put to the Government in another place, but he was not aware what the answer given to it was.

Mr. ROLLESTON said the answer he had given on a previous day was, that Mr. Justice Johnston, who was a member of the Commission, was expected shortly in Wellington; and the Government, before giving any definite answer as to the course they intended to pursue, would wish to confer with that gentleman. It was their intention to confer with him as soon as he arrived here.

AUCKLAND-TAUPO RAILWAY.

Mr. BALLANCE asked the Government, Whether any communication has been received from Rewi or other Natives relative to the extension of the main line of railway from Auckland to Lake Taupo, and from thence to the West Coast; and whether the practicability of the route will be tested by a survey with the least possible delay? He understood that there was a telegram from Rewi and some other Native chiefs in the North Island on the records of the Native Department with respect to the main line of railway from the Waikato to the West Coast, touching Lake Taupo. He would like to know from the Minister for Public Works whether he had seen this communication, and what he proposed to do with respect to the survey of the main line.

Mr. BRYCE said the Government were aware of the great importance of this work. He had caused a search to be made, and he could not find any trace of such a telegram as the honorable gentleman referred to. So far as he was able to ascertain, there was no record of any negotiations, either with Rewi or any other Natives, on the subject of this railway. He understood generally that verbal communications or negotiations had taken place between members of the late Government and the chief Rewi and others upon the subject. With respect to the latter part of the question, he was able to assure the honorable gentleman that the practicability of the route would be tested by a survey with the least possible delay. The honorable gentleman was quite aware that there were circumstances connected with the district which might probably cause exceptional delay.

Mr. MURRAY was informed that a survey had been made by private parties, and that an available line had been laid down from Rangitikei to Taupo and Auckland.

Mr. BRYCE thought the honorable gentleman must be mistaken.

WANGANUI-PATEA RAILWAY.

Mr. BALLANCE asked the Minister for Public Works, What is the cause of the delay in

prosecuting the Waitotara contract of the Wanganui-Patea Railway; and whether notice has been given to the contractor that the penalties will be enforced? He would point out that the contract time for this section of railway would expire in December next. He understood that this section would not be completed before this time next year. He would like to know, therefore, whether any notice had been given to the contractor that the penalties would be enforced.

Mr. OLIVER replied that the contract time would expire on the 6th of December. The contractor was being urged to push on the work more vigorously, and notice had been given to him that the penalties would be enforced in the usual way.

PUBLIC WORKS LOANS.

Mr. GISBORNE asked the Premier, To include, in the promised statement of the comparative distribution of the public works loans among the different provincial districts, a return of the amount of exports produced in each district for three years before the commencement and during the period of such distribution.

Mr. HALL replied that, with regard to the first part of the question, he was not aware that any such statement had been promised; but it would be prepared. It would be very difficult to furnish such a return as to comply with the terms of the latter part of the question; but a return could be given of the exports from each port.

Mr. GISBORNE understood that the statement of the claims which the various provincial districts had on the public works loans would also show the probable population and revenue of the different districts. He also wanted to know the actual value of the exports from each port.

Mr. HALL said the question did not state the period for which the return was required.

Mr. GISBORNE wished the return to be made from 1866. There was always a return published of the exports from the colony of colonial produce: this might be framed so as to show what was sent from each provincial district, though it might not be always possible to say that it was actually the produce of any particular provincial district.

GREYMOUTH NATIVE RESERVES.

Mr. GISBORNE asked the Native Minister, Whether he would lay before this House the official record of the proceedings of a deputation which waited on the Minister of Mines early in September last, at Greymouth, on the subject of the Native reserves in that town; also, a copy of a telegram sent at that time from the Minister of Mines to the Premier on the same subject?

Mr. BRYCE would now lay the papers on the table. The honorable gentleman would find that some of them had been prepared by himself.

DUNEDIN RAILWAY WORKSHOPS.

Mr. DICK asked the Minister for Public Works, What steps, if any, are being taken to erect railway workshops at or near Dunedin, similar to those at Addington; also, what action is being taken to erect suitable buildings at the railway station, Dunedin?

Mr. OLIVER replied that plans had been prepared for making provision for workshops, and a sum would be placed on the estimates for the work. Another sum would also be asked for in order to provide suitable machinery. It was the intention of the Government to have, as far as possible, all repairs and manufactures relating to the railways of that particular district carried out within its limits. With regard to the enlargement of the railway station at Dunedin, provision would be made for providing accommodation there as the reclamation work proceeded.

RAILWAY EMPLOYEES.

Mr. ANDREWS asked the Government, If it is imperative that all railway employés on the South Island lines should belong to the Railway Benefit Society? He did not know that there were any printed regulations to such an effect, and he therefore would like to get an answer that would explain matters connected with the Society, for the information of those most intimately concerned.

Mr. OLIVER replied that, although the rules and regulations in force for the guidance of employés on the New Zealand railways stipulated that persons joining the railway service were to become members of the Benefit Society, yet the rule was not carried into effect, as quite one-half of the employés on the Middle Island lines of railway were not members of the Society.

RAILWAY BENEFIT SOCIETY.

Mr. ANDREWS asked the Government, If, in the event of a member of the Railway Benefit Society resigning, or being discharged or dismissed from the service, his connection with the Benefit Society necessarily ceases?

Mr. OLIVER, in reply to the question, would read the 49th rule, which was as follows: "In the event of any member of the Society leaving the railway service, it shall be optional with that member—on paying his subscriptions and conforming to the rules of the society—to continue his membership."

RAILWAY CONSTRUCTION.

Mr. HUTCHISON asked the Government, Whether they are prepared to propose such an amendment of the law as will authorize them to accept tenders for separate sections of any railway lines which have been sanctioned by Parliament; and whether, in this way, they will now propose a resolution to this House enabling them to deal at once with a tender, already provisionally accepted, for the first section of the Wellington-Foxton line? His reason for asking the question was, that it was distinctly understood that the Government would accept a tender for the first section of the Wellington-Foxton line, although they, through their Attorney-General, had now raised a legal objection—a Frankenstein of their own manufacture—to hinder them from proceeding with the promised work.

Mr. OLIVER said the Government were considering what steps they should take towards the amendment of the law to which the first part of the honorable gentleman's question had reference.

Mr. Dick

He might state that the Government had up to a few days ago the intention to accept a tender that had been received. That intention was announced to the House by the Premier; but, just after that announcement had been made, the Government saw reason to alter their decision with regard to it, for certain prudential reasons connected, he might say, with their financial prospects. With regard to the effect which this would have on those seeking employment, he might say that no injurious result would follow.

NEWMARKET RAILWAY WORKSHOPS.

Mr. TOLE asked the Minister for Public Works, If the Government have accepted any tender sent in for the drainage and preparation of the site of the railway workshops at Newmarket; and, if not, what is the cause of delay? He understood that tenders were sent in a month ago for the preparation of the ground which had been settled upon finally as the site to which the workshops at Auckland were to be removed. Some difficulty did arise at one time as to the suitability of the site, and this site was ultimately obtained by Government at a certain cost. The exigencies of railway matters in Auckland required the removal of the workshops to this central site, and, the tenders having been sent in a month ago, numerous inquiries were being made as to the cause of the delay in accepting the tenders. He hoped, therefore, to receive a favourable answer to the question.

Mr. OLIVER replied that the Government had not accepted any tender for this work. It was a very important question whether the workshops should be at Newmarket or at Papakura. The Government was not quite decided as to which site would be most eligible for the works. The matter had been referred to his honorable colleague (Mr. Whitaker), and when the Government had determined which was the most eligible site, and taken a vote for the purpose, the erection of the workshops would be proceeded with.

HABITUAL DRUNKARDS.

Mr. DICK asked the Government, Whether there is any intention of bringing in a Bill during the present session for dealing with habitual drunkards?

Mr. HALL said that perhaps the honorable gentleman was not aware that a Bill for this purpose was introduced in the Legislative Council during the present session of Parliament, but was rejected. There was an Act of this nature in force in the mother-country, and the Government considered it desirable to obtain further information as to the working of that Act before they proposed that any further steps should be taken in the matter.

TRIENNIAL PARLIAMENTS BILL.

On the motion for the adoption of the report, Mr. REEVES moved, as an amendment, That the Bill be recommitted, with a view to altering the Bill generally.

Mr. HALL hoped the honorable gentleman would be good enough to give the House a little more information as to the character of the alterations he proposed.

Mr. REEVES said he wished to alter the word "February" to "December." If the clause stood as at present, they would not really have triennial Parliaments. They would have this character, however, if "December" were substituted for "February."

Mr. HALL was sorry that the Government did not see its way to concur in the proposal of the honorable gentleman. No doubt the Bill was not, strictly speaking, for the purposes of the present Parliament, a Triennial Parliaments Bill, because if it were altered it would make the present Parliament last for a rather shorter time than three years. The time already fixed in the Bill made it a still more liberal measure than it was when first introduced.—(Laughter.)—Honorable gentlemen might laugh, but he was in earnest about this question. He did not know whether those honorable gentlemen who laughed were in earnest also. He should be sorry to see the measure rejected or imperilled because it was made in Committee rather more liberal than when first introduced. The Bill was now fresh from the Committee, which decided that the present Parliament should come to an end in February, 1882. That being the case, the Government did not see any sufficient reason for the recommitment of the Bill, and would not be able to vote for its recommitment. Let them send it to the Legislative Council, and it would be one step forward in the direction of liberal reform.

Mr. GISBORNE.—That is the first step.

Mr. HALL.—Yes; only the first step, of course. When we accomplish that, then I hope that probably the other measures will be proceeded with in the same way.

Mr. PYKE would like to ask the Premier whether he really did consider this a liberal measure. He (Mr. Pyke) did not. On the contrary, he thought it was one of the strongest conservative measures ever brought into Parliament. He had always opposed this measure, on the ground that, by shortening the duration of Parliament, the more and more would it throw the representation into the hands of the wealthy classes. Any man who possessed a sufficient amount of money to enable him to contest elections, desiring also to serve the interests of his class, would be only too glad to have the duration of Parliaments shortened. The more they shortened the duration of Parliaments, the more difficult they made it for the unwealthy class to be represented. If the Premier's liberality was to be gauged by this Bill, he was afraid they would get very little out of him. He was sure the honorable gentleman knew himself that there never was a more conservative measure introduced into that House. The reason he intended to vote for it was this: that, after the experience of two Parliaments, he had found that the fourth session was one of intense confusion, and that the whole House got so mixed up, in consequence of the additions made to it in the various intervals, that there was no possibility of guiding the deliberations of the House from one side or the other; and it was on that ground alone that he gave his assent to the Bill. But, whilst he said this, and whilst he stigmatized it as a conservative mea-

sure, he thought it would be well for once if the honorable gentleman at the head of the Government would accept advice from his side of the House and allow the Bill to be recommitment. They would then see, by the votes taken as to whether the Bill should come into operation at the beginning or at the end of 1882, what amount of liberality was possessed by members of the House. He would like to know what the opinion of the House was on the point. He might mention that the division which was taken on the question a few evenings ago was taken at a late hour and in a thin House, and it was only fair that they should decide in broad daylight whether the House wanted to dissolve itself in 1882 or not.

Mr. SHEPARD, as the mover of the original amendment, explained that his object in moving it was, not to defeat the Bill, but to avoid a difficulty which might arise under the terms of the Bill in case of the term of the House ending during a session. Since then there had been a discussion in the House, and he had received some further light on the matter, and it appeared now that, instead of fixing a date that would apply to only one Parliament, if the amendment of the honorable member for Bruce were adopted it would meet the views of every one, and the Bill would really be a Triennial Parliaments Bill. The Premier had said that Parliament, under any circumstances, would be able to insure that it should sit until its work was completed; but then it was replied to that, that the other branch of the Legislature might not concur in such a Bill, and that there might be some temporary difficulty between them. It therefore seemed to him that the proviso of the honorable member for Bruce ought to be adopted, as it would meet the views of every one. He hoped the Bill would be recommitment for the purpose of making that alteration. He looked upon this as an experiment that he had long favoured; and he thought that by the adoption of the course suggested they would make the Bill acceptable to the country, and would relieve the minds of those who entertained the false impression that they were endeavouring to steal a march upon their constituents, to whom they had promised a Triennial Parliaments Bill.

Mr. MURRAY pointed out that his proposal was lost by only three votes in a thin House. Members who were absent were not aware that the proposal was coming on, and therefore it did not receive sufficient consideration. That was a good reason for recommitment the Bill. He would again point out that it was possible the Parliament would be dissolved, and if dissolved it would probably be in the middle of a session. In that case the three years of the next Parliament would terminate in the middle of the session. Consequently they would be forced to remedy their hasty legislation at great inconvenience; and it was better that they should complete their legislation, and not leave it to a future Parliament to remedy their mistakes.

Question put, "That the words proposed to be left out stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	42
Noes	...	...	...	25
Majority for	...	...	...	17

AYES.

Mr. Acton Adams,
Mr. Andrews,
Major Atkinson,
Mr. Ballance,
Mr. Beetham,
Mr. Brandon,
Mr. Bryce,
Captain Colbeck,
Mr. De Lautour,
Mr. Dick,
Mr. Finn,
Mr. J. T. Fisher,
Mr. Gisborne,
Sir G. Grey,
Mr. Hall,
Mr. Hutchison,
Mr. Johnston,
Mr. Levin,
Mr. Macandrew,
Mr. Masters,
Mr. McLean,
Mr. Montgomery,

Mr. Oliver,
Mr. Ormond,
Mr. Pitt,
Mr. Reid,
Mr. Richardson,
Mr. Rolleston,
Mr. Seymour,
Mr. Speight,
Mr. Stevens,
Mr. Sutton,
Mr. Swanson,
Mr. Tole,
Colonel Trimble,
Mr. Turnbull,
Dr. Wallis,
Major Willis,
Mr. Reader Wood,
Mr. Wright.

Tellers.

Mr. George,
Mr. Ireland.

NOES.

Mr. Bain,
Mr. Barron,
Mr. Brown,
Mr. Gibbs,
Mr. Hamlin,
Major Harris,
Mr. Hursthouse,
Mr. Kelly,
Mr. Lundon,
Mr. McDonald,
Mr. Moss,
Mr. Murray,
Mr. Pyke,

Mr. Saunders,
Mr. Seddon,
Mr. Shanks,
Mr. Sheehan,
Mr. Shephard,
Mr. Tainui,
Mr. Tawhai,
Major To Wheoro,
Mr. Tomoana,
Mr. Whyte.

Tellers.

Mr. Bunny,
Mr. Reeves.

The amendment was consequently negatived, and the Bill was read a third time.

ELECTIONS VALIDATION BILL.

Mr. HALL.—The circumstances under which the Government propose this Bill are similar to those in which an inadvertent transgression of the Disqualification Act occurred in former years. The subject has been discussed so recently that I need not recall the circumstances of those cases to the memories of honorable members. In all of them, I think, it was admitted that the transgression of the law was inadvertent. In the two cases referred to in this Bill—that of the honorable member for Marsden and that of the honorable member for the Northern Maori District—it will be very clearly shown to the House that, if there has been a transgression of the law, it has been unintentional. In the case of the honorable member for Marsden, it will be clearly shown that, if there has been a transgression—and there is a doubt on the subject—it has been inadvertent. The honorable gentleman is chairman of a steam navigation company in the north of this Island. That company had entered

into a contract with the Colonial Government for the carrying of certain mails. If the contract had been executed in the way in which contracts with incorporated companies generally are, it would have been in the name of the company, and would have had the seal of the company attached to it. The honorable member, under the terms of the Disqualification Act, would not then have been affected at all, because the Act provides,—

“ ‘Contractor’ means a person who, either by himself, or directly or indirectly by or with others, but not as a member of a joint-stock company or any incorporated body, is interested in the execution or enjoyment of any contract or agreement entered into with Her Majesty, or with any officer or department of the General Government, or with any person or persons for or on account of the public service of New Zealand, under which any public money above the sum of fifty pounds is payable directly or indirectly to such person in any one financial year.”

But the contract was signed, as I have already stated, by the honorable gentleman on behalf of the company. Although, therefore, he has no other personal interest in the contract than as a member of an incorporated company, in which capacity he would not have been disqualified, it has been argued that, technically speaking, as the contract is signed by him, and the moneys have to be paid to him for the benefit of the company, he is brought within the terms of the Disqualification Act. As soon as that difficulty was discovered, the contract was transferred to another person. But I understand that some zealous gentlemen, not friends of the honorable member, have served him with a writ for a considerable sum as penalties incurred. If the House will follow me, they will find that this is not one of the cases the Disqualification Act intended to prohibit. The interest of the honorable member is one which the Act recognizes and allows—nothing more. He is merely a member of an incorporated company; but, by the accident of his having signed the contract as chairman, instead of it being executed in the ordinary way, with the seal of the company attached to it, it is contended, though I do not admit correctly, that he has become involved in the meshes of the Disqualification Act. I think the House should step in and remove the doubt. The other case which this Bill deals with is that of the honorable member for the Northern Maori District. His case was under discussion the other day. It was stated that he was an Assessor receiving a salary, and that he did not resign his assessorship until some days after his election. Now, that was a case of disqualification; but I am bound to admit there is some force in the argument that the Act had not been translated into Maori, and that the honorable member was not aware of its provisions. Clearly, in the case of an ordinary salaried officer, he ought to have known the law; but in this particular case I trust the House will take a lenient view, and will admit that the honorable member has not wilfully transgressed the law. I am informed that as soon as the matter was

brought to his notice he resigned his office. I hope, therefore, the House will regard his case as an inadvertent transgression of the law. Those are the circumstances under which the Government ask the House to adopt the course which has, on one or two previous occasions, been adopted, of passing a Bill of this kind. The Bill, as honorable members will see, does not indemnify for any future causes of disqualification, but only protects the honorable members from what has been done in the past. With these remarks, I beg to move the second reading of the Bill.

Mr. MONTGOMERY.—Sir, I understood the honorable gentleman to state that the honorable member for Marsden was a shareholder in a registered company of more than ten shareholders—

Mr. HALL.—A member of an incorporated company. The Disqualification Act does not specify any number of shareholders.

Hon. MEMBERS.—No, no.

Mr. HALL.—No; the Act does not require that.

Hon. MEMBERS.—No, no.

Mr. HALL.—I will read it: “‘Contractor’ means a person who, either by himself, or directly or indirectly by or with others, but not as a member of a joint-stock company or incorporated body, is interested in the execution or enjoyment of any contract or agreement entered into with Her Majesty,” &c.

Mr. MONTGOMERY.—Well, Sir, I rise to state that I think a technical difficulty should never disqualify an honorable member of this House; but the honorable gentleman who moved the second reading of this Bill said that the course of procedure which he now proposed was similar to that adopted on former occasions. The honorable gentleman was in error in saying that. On former occasions cases of this kind were referred to a Committee named by the House. They took evidence and brought up a report; and I think that, if the case is as the honorable gentleman states it is, this House would remedy a defect purely technical; but I do not think that we should proceed by the votes of this House to declare that any gentleman who has had a contract should be freed from the disqualification attaching thereto until a Committee has investigated the case and brought up a report upon it. I say that not for this case particularly, but in order that a bad precedent may not be established: otherwise, Sir, I point out to the honorable gentleman at the head of the Government that if a question of this kind be decided by a majority of this House, without inquiring particularly into the matter, a majority—the Ministry of the day, whoever they may be—may always evade the provisions of the Disqualification Act; and this is so important that I put it to my honorable friend whether he would not be following a constitutional course, and one which was formerly followed, and thus prevent the establishment of a wrong precedent, by moving that a Committee be appointed to inquire into the two cases. With respect to the case of the honorable member for the Northern Maori District, the honor-

able member for Totara argued with great force that the Disqualification Act of 1876 did not disqualify a member of the Maori race who had a salary at the time he was elected, but that the Act of 1878 did limit the privileges that the Maoris possessed. The Act, however, should have been translated into the Maori language. If these two cases are found upon investigation to be as the honorable member at the head of the Government has stated them, there is no doubt this House would step in and remove a technical objection; but I do submit that, in order not to establish a wrong precedent, these cases ought to be referred to a Committee to bring up a report. I think that the principle of affirming this Bill without inquiry should not be adopted; but, at the same time, I do not wish to vote against the second reading. I am willing to take it for granted for the present that the cases are as they have been stated by the honorable gentleman. What I ask him to do is to remit the Bill to a Committee after it has been read a second time, to inquire into the cases and bring up a report thereon.

Mr. TOLE.—I hope that when the Bill is in Committee the honorable gentleman will include in the Schedule the name of the honorable member for the Western Maori District, who, I understand, is in the same position as the honorable member for the Northern Maori District. I do not agree with the honorable member for Akaroa that the Bill should be referred to a Select Committee. We have had experience of the effect of referring questions of this nature to a tribunal of that character, which always has more or less a political bias. Under these circumstances, I do not think it is advisable to refer the Bill to a Committee, as the general sense of the House is in favour of the election of the honorable member for the Northern Maori District being declared to be valid. Speaking from a legal point of view, I have no doubt as to the legality of his position. I believe he is qualified to sit, but I do not set up that opinion as being absolutely correct, and I am willing to accept the doubts expressed in the preamble. At the same time, I think there should be a clause in the Bill to enable the members mentioned in the Schedule to plead this Act by way of general issue. It will save the preparation of long pleadings in the actions which I understand have been brought, and are now pending, against the two gentlemen who are mentioned in the Schedule.

Mr. KELLY.—It seems to me that it would be better to get rid of this Disqualification Act altogether. Whenever any persons in this House become disqualified under the Act, we at once bring in a Bill to indemnify them. Now, it occurs to me that we should put a clause into the Disqualification Act, stating that, if by any means whatever a person should be disqualified, the House would immediately put him all right again. That would be the best thing to do. As it is at present, as soon as any member of this House commits an offence in terms of the Disqualification Act, we at once bring in a Bill to indemnify him. I would suggest that we should bring in a new Disqualification Act. I have seen as many as three or four

Bills brought in in the course of a session to indemnify persons who had become disqualified, I suppose, through ignorance of the law. Instead of doing that, would it not be better to amend the Disqualification Act so as to make it apply clearly to one or two classes of men? This Bill states that two gentlemen are not disqualified. If they are not disqualified, why pass the Bill? It appears to me that, if these persons are disqualified, others have been; and why not put in the whole of the members of this House, and the members of the Legislative Council also, if necessary?

Mr. BRANDON.—I think the objections I have to the Bill had better be discussed in Committee; but I must say that generally I dislike the manner in which the Bill is framed. I do not know why it is necessary to introduce a Bill of this kind. If the members named in the Schedule are not disqualified, then, as the honorable member for New Plymouth says, what necessity is there for declaring that they are duly elected?

Mr. HALL.—The honorable member for Akaroa suggested that this Bill should be referred to a Select Committee, and stated that that course was adopted on a former occasion. I believe such was the case; but I think the course was taken rather with a view of endeavouring to settle a dispute between the two sides of the House as to whether a disqualification existed. In the present case, it is said that these gentlemen are either disqualified or they are not, and that if they are disqualified it is not right to pass the Bill. What I said in moving the second reading was, that there was a doubt in the matter. I have received an opinion from a very eminent authority, which is to the effect that the honorable member for Marsden would not really be disqualified. But, as I pointed out, some friends of the honorable member have taken out a writ against him to recover £1,000; and Mr. Mohi Tawhai, I believe, is in a somewhat similar position. A doubt exists as to whether there has or has not been an infraction of the law, and under the circumstances I cannot see that it would serve any useful purpose to refer the Bill to a Select Committee. We shall not get any more facts than I have brought forward in moving the second reading. We shall ascertain nothing further than the fact that there are doubts; and I am not at all sure that a Select Committee is a better tribunal for dealing with a question of that kind than this House. I have a lively recollection of a Select Committee which sat upon my own case, although I forget the exact particulars; but there were four legal gentlemen, holding one set of political opinions, on one side, and three lawyers of opposite politics on the other. One political party had a majority of one.

Mr. GISBORNE.—Was that in the Legislative Council?

Mr. HALL.—Certainly not. My honorable friend's experience of the Legislative Council, I am sure, has not suggested such a state of things. It is a remarkable fact that the opinions of those legal gentlemen, in the Committee I refer to, on a strictly legal question were exactly in support

of their political party. I do not say that there was anything improper in that; but it was a singular coincidence, and the same coincidence might happen again. Therefore I do not think a Select Committee is the best tribunal to deal with this question, nor do I think that if it were sent to a Select Committee we should stand on any higher ground in dealing with it.

Mr. MONTGOMERY.—We should get at the facts.

Mr. HALL.—Really, my honorable friend would not get any more facts. Here are the papers. I hope the honorable gentleman will not press that point. Then the honorable member for Eden asks that the name of the honorable member for the Western Maori District should be included. We do not wish to deal with this question in any party spirit, and if when the Bill gets into Committee it can be shown that there is even a *prima facie* necessity for including the honorable member, or any other honorable gentleman, we shall not object.

Mr. TOLE.—I understand there is no necessity for it. The honorable gentleman resigned before his election.

Mr. HALL.—I have heard doubts expressed as to the honorable gentleman's case; but we will include him or any other honorable gentleman who may feel uneasy for similar reasons.

IN COMMITTEE.

Mr. SEDDON moved, That progress be reported.

Question put, "That I do report progress;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	41
Majority against...					30

AYES.

Mr. Andrews,	Mr. Macandrew,
Mr. Ballance,	Mr. Reid,
Mr. Barron,	Mr. Turnbull.
Mr. De Lautour,	<i>Tellers.</i>
Mr. J. T. Fisher,	Mr. Montgomery,
Sir G. Grey,	Mr. Seddon.

NOES.

Mr. Acton Adams,	Mr. Pitt,
Major Atkinson,	Mr. Richardson,
Mr. Bain,	Mr. Rolleston,
Mr. Brandon,	Mr. Saunders,
Mr. Bryce,	Mr. Shanks,
Mr. Dick,	Mr. Sheehan,
Mr. Driver,	Mr. Shephard,
Mr. Finn,	Mr. Stevens,
Mr. George,	Mr. Sutton,
Mr. Gibbs,	Mr. Swanson,
Mr. Hall,	Mr. Tainui,
Mr. Hamlin,	Mr. Tole,
Major Harris,	Mr. Tomoana,
Mr. Johnston,	Colonel Trimble,
Mr. Levin,	Mr. Whyte,
Mr. London,	Major Willis,
Mr. McDonald,	Mr. Reader Wood,

Mr. Kelly

Mr. McLean,
Mr. Murray,
Mr. Oliver,
Mr. Ormond,

Mr. Wright.
Tellers.
Mr. Hursthouse,
Mr. Kelly.

The motion was consequently negatived.
The Bill was reported with an amendment, and read a third time.

QUALIFICATION OF ELECTORS BILL.

This Bill was considered in Committee.

Clause 2.—“The members of the House of Representatives shall be chosen, in every electoral district appointed for that purpose, by the votes of the inhabitants of New Zealand who shall possess within the district the qualifications defined by this Act.”

Mr. MONTGOMERY moved, as an amendment, after the word “Act,” to insert as follows: “Provided always that no person shall by virtue of this Act be entitled to have his name placed as an elector on more than one electoral roll in force in the colony for the time being.”

Question put, “That the words proposed to be inserted be so inserted;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	25
Noes	...	...	...	...	30
Majority against	...	...	...	...	5

AYES.

Mr. Ballance,
Mr. Barron,
Mr. Dick,
Mr. J. T. Fisher,
Sir G. Grey,
Major Harris,
Mr. Hutchison,
Mr. Lundon,
Mr. Macandrew,
Mr. McDonald,
Mr. Moss,
Mr. Reid,
Mr. Seddon,

Mr. Shanks,
Mr. Sheehan,
Mr. Shephard,
Mr. Speight,
Mr. Tainui,
Mr. Tawhai,
Major Te Wheoro,
Mr. Tole,
Colonel Trimble,
Mr. Turnbull.
Tellers.
Mr. De Lautour,
Mr. Montgomery.

NOES.

Mr. Acton Adams,
Major Atkinson,
Mr. Bain,
Mr. Brandon,
Mr. Bryce,
Captain Colbeck,
Mr. Driver,
Mr. Gibbs,
Mr. Hall,
Mr. Hamlin,
Mr. Johnston,
Mr. Kelly,
Mr. Levin,
Mr. McLean,
Mr. Murray,
Mr. Oliver,

Mr. Ormond,
Mr. Pitt,
Mr. Richardson,
Mr. Rolleston,
Mr. Saunders,
Mr. Sutton,
Mr. Swanson,
Mr. Tomoana,
Dr. Wallie,
Mr. Whyte,
Major Willis,
Mr. Wright.

Tellers.

Mr. Hursthouse,
Mr. Stevens.

PAIRS.

For.
Mr. Allwright,
Mr. Andrews,
Mr. J. C. Brown,

Against.
Mr. Ormond,
Mr. Studholme,
Captain Russell,

Mr. Finn,
Mr. J. B. Fisher,
Mr. George,
Mr. Gisborne,
Mr. Hislop,
Mr. Ireland,
Mr. Reeves,
Mr. Shrimski,
Mr. Stewart,
Mr. Thomson.

Mr. H. Hirst,
Captain Kenny,
Mr. McCaughan,
Mr. Wakefield,
Mr. Bowen,
Mr. Fulton,
Mr. W. J. Hurst,
Mr. Richmond,
Mr. Driver,
Mr. Whitaker.

The amendment was consequently negatived.

Mr. BALLANCE moved, as an amendment, That the word “person” be substituted for “man.”

Question put, “That the word ‘man’ stand part of the clause;” upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	34
Majority against	...	...	...	...	5

AYES.

Mr. Allwright,
Mr. Andrews,
Mr. Barron,
Mr. Brandon,
Captain Colbeck,
Mr. Dick,
Mr. Driver,
Mr. Gibbs,
Mr. Gisborne,
Mr. Hamlin,
Mr. Kelly,
Mr. Levin,
Mr. McDonald,
Mr. McLean,
Mr. Moorhouse,

Mr. Ormond,
Mr. Pyke,
Mr. Richardson,
Mr. Rolleston,
Mr. Shanks,
Mr. Sheehan,
Mr. Shephard,
Mr. Stevens,
Mr. Sutton,
Mr. Tole,
Mr. Whyte,
Mr. Reader Wood.
Tellers.
Mr. J. T. Fisher,
Mr. Seddon.

NOES.

Mr. Acton Adams,
Major Atkinson,
Mr. Bain,
Mr. Brown,
Mr. De Lautour,
Mr. Finn,
Mr. George,
Mr. Hall,
Major Harris,
Mr. Hursthouse,
Mr. Ireland,
Mr. Johnston,
Mr. Lundon,
Mr. Macandrew,
Mr. Montgomery,
Mr. Moss,
Mr. Murray,
Mr. Oliver,

Mr. Pitt,
Mr. Reeves,
Mr. Reid,
Mr. Saunders,
Mr. Swanson,
Mr. Tainui,
Mr. Tawhai,
Major Te Wheoro,
Mr. Tomoana,
Colonel Trimble,
Mr. Turnbull,
Dr. Wallie,
Major Willis,
Mr. Wright.

Tellers.

Mr. Ballance,
Mr. Speight.

The word “man” was consequently struck out. Progress reported, and leave given to sit again.

The House adjourned at a quarter past twelve o'clock a.m.

LEGISLATIVE COUNCIL.

Tuesday, 11th November, 1879.

First Readings—Second Readings—Local Bills.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

District Courts Proceedings Validation Bill, Waiuku Recreation Reserve Bill, Christchurch Drill-shed Bill, New River Pilot-Station Reserve Bill, Wellington Harbour Board Bill, Onehunga Water Reserve Bill, Primitive Methodists' Temporal Affairs Bill, Elections Validation Bill, Triennial Parliaments Bill.

SECOND READINGS.

Napier Swamp Nuisance Bill, Fisheries Preservation Bill.

LOCAL BILLS.

On the motion of the Hon. Mr. WATERHOUSE, it was ordered, That the Standing Orders relative to local Bills be amended by omitting all the words after "purposes," in line 5 of section 1, to the end of the section.

The Hon. Mr. WHITAKER moved, That certain Orders of the day relative to local Bills be discharged; in order that a proposal he had to make might be considered next day. The proposal he had to submit was as follows:—

"Local Bills are those which, not being private Bills, affect particular localities only.

"No local Bill shall be read a second time in the Council unless notice shall have been given of the said Bill in the locality to which it refers.

"Such notice shall state explicitly the object which such Bill is intended to effect, and shall have been published twice at least in two successive weeks before the second reading in a newspaper circulating in such locality.

"Where corporation property, or property held in trust for public, religious, or charitable purposes, is in any manner affected, a copy of the notice shall be served upon the owners or trustees of such property within three days after its first publication.

"In cases of Bills affecting property vested in the Crown, a copy of such notice shall, before or immediately after the first publication thereof, be deposited with the Secretary for Crown Lands.

"In all cases where land is proposed to be dealt with, a plan, drawn to a scale of not less than twenty chains to one inch, together with a schedule containing a description of such land, shall be deposited in the Local Bills Office, and such plan and schedule shall be certified to as correct by some officer of the Survey Department.

"There shall also be deposited in the Local Bills Office an abstract of title to the lands specially affected by the said Bill, certified by a solicitor of the Supreme Court.

"Such plan, schedule, and abstract shall be deposited in the Local Bills Office prior to the first reading of the Bill.

"On the first convenient day, to be fixed by the Speaker, after the meeting of Parliament, the Council shall nominate by ballot twenty-six members to serve on Committees on Local Bills.

"The twenty-six members so nominated shall be divided by the Speaker into four Committees—viz., one Standing Orders Committee on Local Bills, to consist of five members; and three other Committees on Local Bills, to consist each of seven members. Each of the said Committees shall elect its Chairman. Three members shall form a quorum.

"When a Bill has been read a first time the Speaker shall, if in his opinion it is a local Bill, refer the same to the Standing Orders Committee on Local Bills.

"Such Committee shall determine whether the Bill comes within the definition of a local Bill, and, if so, whether the Standing Orders in reference to local Bills have been complied with.

"If they determine that a Bill is not a local Bill, they shall so report to the Council.

"If they determine that a Bill is a local Bill, and that such Standing Orders have not been complied with, they shall so report to the Council, or they may, in their discretion, defer their report until a sufficient time has elapsed to enable the Standing Orders to be complied with, and then report accordingly.

"When the Standing Orders have been complied with, the Bill shall be referred to one of the three Local Bills Committees, and such references shall be made to the several Committees alternately.

"It shall be the duty of the several Local Bills Committees to examine, consider, and report on the Bills so respectively referred to them.

"After such report is made to the Council, the same shall be read, and, if the Council think fit, ordered to be printed; and then, or at any time thereafter, on motion without notice, a day shall be fixed for the second reading."

He therefore moved That Orders of the Day 4, 6, 7, and 8 be discharged.

The Hon. Mr. REYNOLDS, so far as he had been able to gather, thought the proposals of the Hon. the Attorney-General worthy of support; yet he thought it would be inconvenient for the Council, without consulting the other branch of the Legislature, to pass such Standing Orders as were suggested affecting local Bills. He (Mr. Reynolds) thought the question should be relegated to a Joint Committee of both Houses, so that there might be agreement between them as to the Standing Orders to be passed. He felt perfectly certain that if this were not done there would be a conflict between the two Houses. He believed it was far better, if possible, that they should avoid anything that might cause misunderstanding between the two branches of the Legislature. He should not move any amendment; but he trusted that other honorable members would consider whether it would not be advisable to relegate the whole question to the Committee on Standing Orders, and for the Hon. the Speaker to see the Speaker of the other House, and endeavour to come to an understanding on the subject.

The Hon. Colonel WHITMORE said this was a proposal which had been before the Committee on Standing Orders, raised by the Hon. Mr. Menzies, and probably it was the only rational way of getting over the difficulty the Council had got into. It seemed probable that an unusual number of local Bills would come this session before the Council, and it would be very necessary to have some provisions made for dealing with them immediately. He wished to point out, in connection with the proposal of the Hon. the Attorney-General, that there must be something compulsory about the attendance, or the arrangement would soon fall through. Not only was the Council indebted to the gentlemen who had hitherto attended on this Committee for their services and knowledge, but also for their sacrifice of time and attention, particularly at a period when such sacrifice was rather disagreeable. The great point of this proposal was, that it undoubtedly would distribute the work more equally than at present, seeing that it now all fell upon the shoulders of one or two people. In deciding the matter the Council would be greatly guided by the opinions of honorable gentlemen who had heretofore performed laborious duties in this and many kindred positions in the Legislature. But there were members of the Council who were quite capable of becoming ornaments to any Committee if they only had the chance. The misfortune of this Chamber was, that there really was not the opening for an honorable gentleman to distinguish himself that there was in another branch of the Legislature; and it was practically only in being useful in this way that honorable gentlemen had very great opportunity of doing much for the colony. It was undoubtedly doing a great service to the colony to stop unseemly legislation. An honorable gentleman raised the point whether or not they ought to pass a Standing Order of this character without consulting the other branch of the Legislature. He thought he was correct in saying—the late Chairman of Committees would correct him if he were wrong—that when they did first pass the Local Bills Standing Order they sent it to the other branch of the Legislature, and they could not congratulate themselves upon the cordiality with which it was received. Therefore he could not see any great object to be gained in following the same course on a second occasion. He was not quite sure that they were under any circumstances bound to do more than courteously inform the other branch of the Legislature that they had passed such a Standing Order. It would be well to ask their co-operation in this or any other step for the advantage of public business, but if they were not met in the same spirit he thought it would be beneath the dignity of the Council to go a second time.

The Hon. Mr. REYNOLDS said he might be allowed to state that he spoke to the Speaker of the other branch of the Legislature, who said that, as far as he was aware, no such resolution or Standing Order had ever come before him.

The Hon. Major RICHMOND said that the Local Bills Standing Order was sent to the other branch of the Legislature.

The Hon. Colonel WHITMORE said it was not a matter of doubt. Under those circumstances it was not seemly for them again to address that branch of the Legislature. But, while he was clear on that point, he thought that, in all action they took of this character, where the interests of another branch of the Legislature were concerned, or where any conflict might arise, they were bound to show themselves as conciliatory as possible, and to acquaint themselves with any circumstances which caused irritation, and to avoid giving it if possible. They would be indebted to any honorable gentleman who could suggest means by which they could avoid giving offence. To that extent he agreed with the honorable gentleman, but beyond that he was not prepared to go. Looking at the draft clauses, he thought there was nothing in them which should give any offence whatever. He had heard out of doors certain questions raised as to the competence of this branch of the Legislature to draw its own Standing Orders. He must say that, if they were a branch of the Legislature at all, they must be sovereign in the matter of Standing Orders; and, if they chose to consult the other branch of the Legislature, it must be purely as a matter of courtesy. He would object to anything which subordinated their decisions in such matters to another branch of the Legislature.

The Hon. Sir F. DILLON BELL assured the Hon. the Attorney-General that whatever he might bring forward on the part of the Government as the proper solution of this difficulty he (Sir F. Dillon Bell) would be only too willing to accept, short of continuing to do the same work he had been doing. He was sorry, however, that neither the honorable gentleman, nor the honorable members who were concerned in bringing forward these particular motions, had been willing to accept the olive-branch which, for his own part, he had held out, when he had suggested that, as perhaps there had been some heat—and he had said that he was very sorry if any of his expressions had caused irritation—the right course was to discharge all the motions. His suggestion had been refused;—which meant that the Council declared this was right and fair: that honorable members might find fault with the work that had been done, might say members were accused of doing their work with partiality—these accusations were stated publicly in the Press as the groundwork for these very motions—and yet that the very members who had done the work, and who had been subjected to those accusations, were still to be compelled to serve on the Committee. He refused to consider that decision fair and just; especially with respect to the Hon. Mr. Waterhouse, because he felt a pride in bearing humble testimony to the great value of the services that honorable gentleman had rendered in this particular work. When motions were brought forward aimed at his honorable friend specially for the manner in which he had conducted his work—and there was no doubt whatever as to whom it was aimed against—was it fair that he should be compelled to serve on the Committee after being subjected to the disgrace that was thus put upon him? However, now that the honor-

able and learned Attorney-General had taken the matter in hand, he would be only too glad if the system he proposed should be effectual to carry through the work. With reference to the other House, that was a matter of very great importance. The Hon. Mr. Reynolds had raised the question as to whether the other House ought not to be consulted in this matter. He must repeat that not only was that done, and the assent of the House of Representatives sought to joint Standing Orders, but it was done with the utmost courtesy, and, as far as he was aware, with courteous urgency. He had represented the matter personally to a number of members of the other House, and had given reasons for the two Houses adopting joint Standing Orders for local Bills. But the reason why they could not get the assent of the other House to the proposal was the very difficulty that lay at the bottom of the whole subject—namely, that the Bills passed hastily in the House of Representatives were often Bills that were criticised and prevented from being passed in the Council, whenever they injuriously affected either public or private interests. It was the very block which the Council had put against that kind of legislation, which had given offence to members of the other House. The members of the other House who promoted such Bills believed, of course, that they were quite right, and that they should be passed, and he feared that the Council would not easily get them to agree to imposing a restraint upon their own legislation. The Council had approached the House of Representatives and had asked them, for public reasons, to agree with them in certain Standing Orders; and now they ought to leave the House of Representatives to take the initiative. A good many honorable members of the other House had spoken to him on the subject, and they were becoming more and more alive to the necessity of themselves becoming the restrainers of the difficulties the Council wanted to obviate. Let that feeling ripen; and, as soon as the House became really impressed with it, they would find the Council only too glad to do their utmost to promote that local legislation which, since the abolition of the provincial system, had become one of the necessities of the country. With regard to the suggestions of the Attorney-General, he would gladly agree to any plan for enabling the work to be carried through: but there was a matter which he hoped his honorable friend would take into consideration, as it greatly affected a large number of Bills which were being passed in the other House, and was one which ought to be considered forthwith by the Government in the interest of public legislation. It was this: They had taken very great pains, since the abolition of the provinces, to pass certain general public Statutes. They had passed the Municipal Corporations Act, the Counties Act, the Rating Act, the Regulation of Local Elections Act, the Harbour Act, and other such measures, all of which had been most carefully elaborated and thought out, and all containing provisions for the safe-guarding of those rights which were necessary to be guarded in local legislation. Now, the local bodies that were affected by

Hon. Sir F. Dillon Bell

this legislation—Municipal Corporations, County Councils, rating bodies, marine bodies, Chambers of Commerce, and so forth—often found that the restrictions which were imposed by these Acts were inconvenient for some particular object they wanted to gain. They therefore brought before the House, year after year, Bills the real object of which was to set aside the general Statutes, and to set up instead the particular legislation which they wanted for themselves. This question should be considered by the Government. They should either repeal or amend these general Statutes, or compel the local bodies to conform to their provisions. He urged this on the attention of the Attorney-General, because it was a matter left unprovided for by the proposals the honorable gentleman now made. They should insist upon not proceeding with Bills promoted by particular local bodies, the object and intention of which was to defeat the general Statute legislation. By insisting upon this, they would get rid of one of their greatest difficulties. He did not mean that they should never make any local amendment or alteration in the application of a general Statute, but they should guard against its general principles being set aside and destroyed. He would mention two instances. They had a Bill at present before them, by which the system of taking the assent of the people interested in a county work, and who would have to pay for it, was changed, and a new system sought to be set up. All the carefully-prepared provisions in the Counties Act for enabling the assent of the people to the levying of rates to be taken were to be set aside for the particular object sought by the Bill. They would thus have two systems running side by side, and might have twenty, one of these days. Again, it was proposed to do away with what had been the subject of debate over and over again in the other House for several years. The question whether a rate should be capable of being levied not by valuation, but by acreage, had been fought out and settled against acreage rating; but in this Bill it was intended to have an acreage rate imposed. If they allowed their general Statutes to be altered and interfered with to meet the views or objects of any particular local body, they would not only be rendering valueless the carefully-prepared provisions affecting the local bodies generally, but they would also inflict a gross injustice upon those bodies that were willing to obey the restrictions of the general statute law. These were important points, not touched by the proposal of the Attorney-General: and he hoped, before that proposal was discussed, they would receive the honorable gentleman's consideration on the part of the Government, as being matters affecting the general public legislation, which it was the duty of the General Government to maintain and to guard.

The Hon. Mr. G. BUCKLEY was sure every member of the Council would bear testimony to the valuable work done by the Local Bills Committee. He was a member of that Committee last year, and he could say that there was more work put before it than was done by any other Committee; and, unless honorable members upon

that Committee gave to it every moment of their time, they could not overtake the work. The only alteration which he thought they should make was that, instead of having one Local Bills Committee, they should have two or three Committees, so that the work might be divided between them; and that was a matter which the Council might dispose of in ten minutes. The proposal made by the Attorney-General would perhaps make some alteration in the notices which had to be given as to advertising in newspapers, &c. If that were the case, and if there was to be any alteration in the Standing Orders already in existence relating to local Bills, it would be hardly fair to those who already had Bills before the Assembly, as they would not be able to comply with such Standing Orders. There was really only one question to be decided, and that was, whether the Local Bills Committee should remain as it was, or be divided into one or two Committees. He thought it might be very well divided into three Committees, and then there would be plenty of work for each Committee to do. It was hardly right that the Local Bills Committee should have their whole time taken up in attending that Committee. Unless the course he had suggested were adopted, such would be the case, and they would have no time to attend to any other Committee. He would suggest that there should be one Committee for considering Harbour Bills, another Committee for considering Bills relating to counties and municipalities and Road Boards, and another Committee for all other local Bills. That would divide the work, and then there would be no difficulty in carrying it out.

The Hon. Captain FRASER was sorry to hear the Hon. Sir F. Dillon Bell mention that he had heard that the Local Bills Committee had been accused of partiality. He (Captain Fraser) had himself never heard of the slightest suspicion of that kind. He had never heard the Committee accused of partiality. They knew that the Committee worked too well—so well that they were all anxious to bear their part in the Committee. They saw the good the Committee were doing, and were anxious to bear a part in it. If anything he had said in moving his amendment had hurt the feelings of the Hon. Sir F. Dillon Bell or the Hon. Mr. Waterhouse, he was sorry for it, and would withdraw it. This was not the time to go into that matter: next day would be the time to discuss it. All this trouble that had come upon the Council was attributable to the abolition of provincial government some time ago. Before the abolition there were nine Parliaments sitting in judgment upon these Bills, bringing their local knowledge to bear upon them: such Bills were thoroughly looked after: but, now that those institutions had been destroyed, a different state of things existed. He was sorry that they had been destroyed; but the time had come when they would very likely have to go back to them, because they had destroyed those institutions before they were able to supply their place. Now Parliament would have to sit in session for six months in every year. Last year they had a

great number of these Bills; they were like those unfortunate lunatics—increasing. Last year they had a great many, this year a great deal more, and next year the number would be still increased. Unless they adopted some special method of dealing with them, they would not be doing their duty properly to the country, and would get into a state of confusion. This was not the proper time for debating the proposition of the Attorney-General, but to-morrow.

The Hon. Mr. WATERHOUSE did not consider it was altogether a disadvantage to have an impromptu discussion of this sort upon the proposed resolution of the Attorney-General. He thought that even this informal discussion would prove an advantage. The advantage would be this: that, when they were called upon to consider the proposals to-morrow, perhaps they would be better prepared to discuss them than would have been the case if they had not turned the matter over in their minds, as they naturally would do whilst this matter was being discussed. The Hon. Captain Fraser had stated that what they had to do was to provide some efficient machinery in connection with the passage through the Council, and the examination on their merits, of these various local Bills. Although he had been a member of the Local Bills Committee for some time, up to the present time he was in doubt as to the exact character of the machinery to be employed. Local Bills were growing upon them with amazing rapidity. It was quite clear some well-considered course must be adopted of dealing with them; otherwise their legislation would be unsatisfactory and probably very inefficient. Many of those local Bills were prepared by persons who were not accustomed to the drafting of Bills. Sometimes they were drawn by the clerk to the local body, who trusted to the Bill being put into shape when it arrived before Parliament. The effect was, that an increasing number of these Bills were in a most incomplete and unsatisfactory state; and, if they passed into law in their present shape, they would result in an increase of litigation, rather than in a diminution of it. It appeared to him that they would have to go further in this matter than was proposed by the Hon. the Attorney-General, and devise other machinery than that which the honorable and learned gentleman had proposed. There was an Examiner of Private Bills. They would require something like an Examiner of Local Bills, who should be a legal man, prepared to make a thorough examination of the legal bearings of the various clauses of the Bills, so as to see that they did not encroach upon public or private rights, and, if the Bill was incompletely prepared, to draft it into the necessary shape, in order to enable it to meet the object which it had in view. He was satisfied this was the main thing they would have to provide for, and, before the debate of next day came on, he would endeavour to draw two or three additional resolutions to give effect to the idea that he had just given utterance to. He simply called the attention of honorable members to the circumstance now, in order that their minds might be

directed to the subject, and that they might have some knowledge of his intention to bring the matter forward. He therefore hoped he would not be thought going beyond his duty or taking honorable members unaware if next day he proposed two or three clauses which, in his opinion, were necessary in order to provide for what he deemed to be deficiencies in the clauses of the Attorney-General.

The Hon. Mr. REYNOLDS thought that, notwithstanding the fact that the Hon. Colonel Whitmore had stated distinctly that the Standing Orders, as passed by the Council, were forwarded to the other branch of the Legislature, there was some misunderstanding on the matter, and that they must have miscarried in some way or another, because the Speaker had said he did not know anything of them. It was quite possible that they had fallen into the hands of one of the clerks of Parliament.

Hon. MEMBERS.—Two years ago.

The Hon. Mr. REYNOLDS had not been able to find a single member of the other branch of the Legislature who knew anything of these Standing Orders, or who knew about their passing, except by seeing them in the *Gazette*. Certainly they had not been brought before the House. The Hon. Colonel Whitmore had said he thought it would be too much to expect the Council again to make any sort of overtures to the other branch of the Legislature; but he (Mr. Reynolds) did not think the Council should at all stand upon its dignity in that way. He thought the duty of the Council was to endeavour to secure the best means of legislation for the colony. With regard to the remark of the Hon. Mr. Waterhouse, that they would require to have an Examiner of Local Bills connected with the Council, he (Mr. Reynolds) thought that would be objectionable, too. His own impression was that the Government should have a sufficient staff in the Solicitor-General's or the Attorney-General's office to look over every Bill that came before the Parliament, and that a sort of *précis* should be submitted to the Government of every Bill before it was submitted to either branch of the Legislature. The Government certainly were responsible for each of these Bills, and he did not think it would be well for them to hand over these duties to either one branch of the Legislature or the other. If they had not a sufficient staff in the Solicitor-General's or Attorney-General's office, it was their duty to ask for a larger staff, and to examine each Bill, at any rate before it was read a second time, so that the Ministers on the Government benches would be able to say whether there was any objection on the part of the Government to these Bills, or not.

The Hon. Mr. MILLER was very glad the Council was apparently coming to a decision in this matter. He thought it had become very evident indeed, not only that there really was more work imposed upon the Local Bills Committee than it could possibly get through, but that it was extremely unfair to honorable members who had charge of these local Bills to be kept in attendance for such a length of time as was the case now, especially in a year in which there

Hon. Mr. Waterhouse

were two sessions. Honorable members who had charge of local Bills were put to a great amount of personal inconvenience, and it was really less than fair to expect an honorable member to be in attendance week after week, in order to get through a single Bill: the Bill ought either to be thrown out, or passed, with the least possible delay. For that reason he was glad to hear that the labour was going to be divided, and he trusted the Committees would be appointed accordingly, so that they might have something more definite and expeditious with regard to these matters. As to what the Hon. Mr. Waterhouse had said, he had no doubt it would require a great deal of consideration; but he imagined that one of the most necessary things to be done in connection with this subject was to have the various Acts, especially Municipal Acts—the bearing of which upon each other seemed to have got into a very complicated state, and really to puzzle very much honorable members who had to deal with these matters—revised and consolidated, so that the Acts might be a little more intelligible than they really were. At the present time it was extremely difficult for honorable members who were not legal gentlemen to comprehend the bearing of these Acts one upon the other. That would be a more necessary step even than the appointment of an Examiner. If that were done, he did not think the difficulties would arise that had arisen; and he hoped the Government would take the matter into consideration, with the view to carrying out what he considered to be one of the most necessary things.

Motion agreed to.

The Council adjourned at four o'clock p.m.

HOUSE OF REPRESENTATIVES.

Tuesday, 11th November, 1879.

First Readings—S. J. Edmonds—Jackson's Bay Wharf—Public Analysts—Newmarket Post Office—East and West Coast Railway, Middle Island—Parua Bay Wharf—Pullman Cars—Roads—Native Coal for Railways—West Coast Small Farms—Waikaiti Court-house—Marton-Tanpo Railway—Manukau County Court Districts—J. Marsh—Qualification of Electors Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Marlborough River Districts Union Bill, Otago University Bill, Land-Tax Bill, Kumara Education Reserve Bill.

S. J. EDMONDS.

Mr. SWANSON asked the Minister for Native Affairs, What action the Government have taken, or intend to take, in reference to the report of the Public Petitions Committee, during the session of 1878, in the case of the petition of Samuel J. Edmonds?

Mr. BRYCE said the report of the Petitions Committee, to which the honorable gentleman referred, was contained in these words:—

"That fair compensation should be given for direct loss occasioned by the act of rebel Natives, and that the matter should be inquired into by the Government with a view to some settlement of such claims; but with respect to this special case the Committee has no opinion to offer to the House."

The honorable gentleman was aware that this formed a part of a large subject, which had been considered at various times by the House. He might, perhaps, also be aware that he (Mr. Bryce) had always held the opinion that these claims for losses suffered during the war were good and valid claims against the colony. He had always held that opinion individually, and he had not changed it since he had been a member of the Government. At one time these claims were recognized by the colony; but in 1867 a resolution was brought up by a Committee of the House to the effect that the only claims which should be recognized in the future were those occasioned by loss arising from a direct order of the commanding officer. Although that resolution was never formally adopted by the House, it had been acted upon by successive Governments. Therefore any answer which might imply that compensation would be given in this particular case would, he imagined, reopen the whole question, which being one of considerable magnitude, it would not be advisable on the part of the Government to do without some direct expression of opinion from the House. This case appeared to be one of undoubted hardship, and there were many others of the same kind; although he would point out to the honorable gentleman that, even in respect to this particular case, an error, if he might so call it, had been fallen into, which had damaged the cases of people who had good claims: that was to say, the claims had been put into an exaggerated form. The first loss—the loss of the vessel—to which reference was made, was estimated at £800, and the claim had been gradually magnified until it had now reached £5,480. He believed it was because of a great many of these claims having been exaggerated that the House took an impression that was not favourable to them. He should, personally, be very glad to see the whole subject inquired into; but he was not prepared to say that the Government would authorize that to be done unless some resolution of the House were passed indicating a wish in that direction.

JACKSON'S BAY WHARF.

Mr. GISBORNE asked the Minister for Immigration, if he will place on the estimates a sufficient sum to make available the wharf begun under the authority of a preceding Government at the special settlement at Jackson's Bay, as recommended by the Jackson's Bay Commission? In explanation of the reasons which induced him to ask this question, he might state that the special settlement of Jackson's Bay was commenced about four or five years ago, and that the Government of the day authorized the commencement of a wharf, and the succeeding Government authorized its continuance. Circumstances afterwards occurred which caused the cessation of the

work. The special circumstances of the case, and the vital importance of this jetty to the settlement, were so forcibly set forth in the report of the Jackson's Bay Commission which was recently appointed that he would not detain the House by stating anything more of those circumstances and reasons, and would only express a hope that he would receive a favourable answer from the Government.

Mr. OLIVER replied that a proposal to expend £2,500 on this work was under the consideration of the Government, and the matter would be decided before the public works estimates were brought down.

PUBLIC ANALYSTS.

Mr. WRIGHT asked the Government, Whether the services of the public analysts throughout the colony cannot be made more practically useful than at present? Under the Adulteration of Food Act the Governor was empowered to appoint colonial analysts; but, as far as he could ascertain, only one appointment had been made under that Act, which had, in fact, been little more than a dead-letter. Section 9 relegated the duty of procuring samples for analysis to Inspectors of Nuisances and Inspectors of Weights and Measures; but it was not necessarily part of their duty to do so, except at the instigation of a third party. He hoped the Government, when they had time to turn their attention to minor matters, would look into this subject, and give a little more vitality to the Act, in order to render the services of the public analysts of much more general benefit.

Mr. HALL said this question was one to which his honorable friend could hardly expect a definite answer. He could only assure him that during the recess the Government would inquire into the subject, and introduce any improvements on the present practice which they found could be effected.

NEWMARKET POST OFFICE.

Mr. TOLE asked the Minister having control of the Postal Department, if the Government will place a sufficient sum on the estimates for the erection of a post office at Newmarket in conjunction with the telegraph office of that place? The District of Newmarket had risen to such a state of importance that it was confidently believed that if a post office were established there in conjunction with the telegraph office the revenue which would be derived from it would recoup the expenditure. The matter was referred to the late Government, and the Postmaster-General, after receiving a report from the Chief Postmaster which was favourable to this proposal, promised to place a sum on the estimates sufficient to erect a wooden building, and to have the post office conducted in conjunction with the telegraph office. At present the postal arrangements were carried on at a store in the neighbourhood, and he believed the requirements of the district demanded more adequate and convenient provision. There was a general desire on the part of the public that a post office should be established near the main road, in connection with the telegraph station.

Mr. HALL, in reply, said the post office at Newmarket was now in a private store; the telegraph office, on the other hand, was at the railway station. It was asked that there should be a separate building erected, in which the postal and telegraph business should be conducted. It was found that such a building, constructed of timber, would cost £750, and £1,000 if built of more substantial material. The financial position of the colony was such that the Government were obliged to postpone any expenditure which could possibly be postponed; and therefore, if they were not able to undertake this work at present, the honorable member would understand that it was not because they did not appreciate the desirability of the work, but because the finances were not in a position that would enable them to bear any expenditure which could possibly be avoided for the present.

EAST AND WEST COAST RAILWAY, MIDDLE ISLAND.

Mr. SEDDON asked the Government,—(1.) Whether they intend to place on the estimates, this session, any sum or sums of money for the construction of the East and West Coast Railway in the Middle Island? (2.) If they intend to ask the House to appoint a Select Committee to inquire into and report on the best route for same? With regard to the first part of the question, it was understood, he believed, by the House and by the people of Canterbury and the West Coast, that this line of railway would be constructed out of the loan which was authorized last session. The appointment of a Select Committee was referred to in the Governor's Speech, and was a part of the policy of the late Government. Personally he was not in favour of appointing a Committee, seeing that that course might cause delay.

Mr. OLIVER said the answer to this question would be contained in the Public Works Statement, which he hoped would soon be made. With regard to the second part of the question, the Government did not propose to refer this matter to a Select Committee, as they considered such a course would be equivalent to shelving the question altogether.

PARUA BAY WHARF.

Captain COLBECK asked the Minister for Public Works, If he will take steps to have a small landing-wharf erected at Parua Bay, near Whangarei Heads? Parua Bay was situated between the Whangarei River and the East Coast, and was about sixteen miles from Whangarei, which was the only outlet to a very large district; and at present there was no accommodation for landing, loading, and discharging goods, or, in fact, even passengers, for women had to be carried through the mud on the backs of the boatmen. He trusted the Government would recognize the necessity for doing something to improve this state of things.

Mr. OLIVER replied that the Government did recognize the necessity for something being done, and had caused inquiries to be made as to the sum that was necessary to provide for it.

Mr. Tole

PULLMAN CARS.

Mr. PYKE asked the Minister for Public Works, (1) Whether it is true that the Pullman railway cars, lately imported from America, cannot pass through the tunnels on the Christchurch-Invercargill line; (2) whether, if such is the case, the cars can be altered so as to render them available for the through traffic on that line; (3) what is the estimated cost of such alteration; and (4) who is responsible for the blunder?

Mr. OLIVER, in regard to the first question, was sorry to be obliged to reply that it was true. In reference to the second question, it was quite possible that these cars could be altered. They would have to be altered; and the cost, he was sorry to say, would be very considerable, although as yet no exact estimate had been formed. With regard to the question of who was responsible for the blunder, it seemed that the Government agent at New York, Mr. W. W. Evans, through whom the order was given to the manufacturer, and whose duty it was to inspect the cars, was responsible. Sections of the tunnels were forwarded with the order, but they seemed to have been entirely ignored. He did not know whether any responsibility could be fixed upon this gentleman such as would enable the colony to recover from him the cost of altering the carriages; but if that were possible it certainly would be done.

ROADS.

Mr. GEORGE asked the Premier, If the Government will place a sum of money on the estimates for the purpose of constructing roads through and opening up Crown lands in the various districts in the colony in which the counties have not sufficient funds to do so? There were large blocks of Crown lands in different parts of the colony through which roads might be opened up at a very small expenditure, and the land be brought into the market, which lands at the present time were unapproachable, and therefore unsaleable.

Mr. HALL replied that the policy of the Government in regard to this and all similar questions would be explained when the Financial Statement and the Public Works Statement were made.

NATIVE COAL FOR RAILWAYS.

Mr. BARRON asked the Government, Whether, as a report, furnished to the Commissioner of Railways on the 28th May, 1878, shows that Green Island, Walton Park, and other native coals can be used for locomotive purposes at less cost than imported coal, the Government intend to encourage the use of such native coals? The Government were, doubtless, aware that a series of experiments had been conducted by Mr. Armstrong, Inspector of Locomotives, who had furnished a report which showed very clearly that a considerable saving—something like one-seventh—could be effected by the use of this coal, and that it would be quite possible to use it exclusively.

Mr. OLIVER said the attention of the Government had been drawn to the report, and effect

was being given to the recommendations contained in it. The Green Island and other New Zealand coal was now being largely used on the locomotives, and with a view to further encourage its use it had been decided to offer bonuses to the engine-drivers to use it, and a further bonus on its economical use, as proved by the consumption. The tenders that were being called for coal for railway purposes were now almost exclusively confined to New Zealand coal.

Mr. MACANDREW.—Did I understand the honorable gentleman to say that a bonus had been offered to the engine-drivers to use New Zealand coal?

Mr. OLIVER.—Yes; it was decided before the present Government came into office that a bonus of 6d. per day should be given to the drivers.

Mr. MACANDREW.—It was never decided by us, and I am very sorry to hear it.

Mr. RICHARDSON asked whether the arrangement had been extended to the Canterbury lines.

Mr. OLIVER said he did not know that any district had been omitted from the arrangement. He believed it applied to the Canterbury lines as well as to the others.

Mr. BARRON thought the offer of the bonus to the engine-drivers was an exceedingly wise step on the part of the Government. The great objection of the firemen to the use of Green Island coal was that it involved harder work, and it was profitable and therefore good policy to remove the objection in this way if it could be removed in no other.

WEST COAST SMALL FARMS.

Sir G. GREY asked the Government, If it is their intention to establish on the west coast of this Island one or more small-farm settlements, to be taken up on a system of deferred payments by settlers to whom employment will, for a time, be afforded upon public works?

Mr. ROLLESTON said there was now a Bill before the House which would give the Government very considerable powers in the establishment of such settlements; and it was the desire of the Government to give the fullest effect to that Bill if it passed. At the present time, however, it was impossible for the Government to say in what particular parts of the country these settlements would be placed. That would be a question for consideration when the House sanctioned the proposals now before it.

WAIKAIKIA COURTHOUSE.

Mr. IRELAND asked the Minister of Justice, If the Government intend complying with the prayer of the petition of Waikaiika residents as to the erection of a Courthouse, the Public Petitions Committee having referred this matter to the Government on the 29th ultimo?

Mr. ROLLESTON said the District Engineer had been requested to report upon the matter, and the subject would be considered when the estimates for the department were submitted to the House.

MARTON-TAUPO RAILWAY.

Mr. MURRAY asked the Minister for Public Works, If he is aware that an engineer employed by the Rangitikei County Council has found a good practicable route for a railway from Marton, Rangitikei, by the Murimutu Plains, to Taupo and Auckland? He would be glad to learn that the Government were aware of the fact, because it might influence them in the proposals they made to the House.

Mr. OLIVER said that copies of three reports had been received by the Public Works Department—one from Mr. Murray to the Rangitikei County Council, describing what he claimed to be a good route for a road or a railway.

MANUKAU COUNTY COURT DISTRICTS.

Mr. HAMLIN asked the Government, If they will alter the judicial boundaries of the Papakura Resident Magistrate's District, so as to make it coterminous with the boundaries of the Manukau County; also, if the Government will abolish the local Court districts in the above county, thereby allowing litigants to take summonses out and have their cases tried at the nearest Court within the Resident Magistrate's district? He believed the Resident Magistrate of the Papakura District had written to the Government asking them, in effect, to do what he (Mr. Hamlin) now asked them to do. The Resident Magistrate of the Papakura District had charge of a portion of the Manukau County, whilst the district of the Resident Magistrate at Auckland extended into a portion of it also. The consequence was, that the boundary of the district was not known to a great many people, and he was anxious that the boundaries of the Papakura District should be coterminous with those of the Manukau County, in order that there should be a defined district. With reference to the second part of the question, he might explain that there were imaginary boundaries in his (the Papakura Resident Magistrate's) district, and people had to go to certain Courts to take out summonses; but it was unwise to keep up those distinctions; and he would like to hear from the Minister of Justice that those internal districts would be abolished, and that people would be allowed to take out summonses for the nearest Court.

Mr. ROLLESTON said that a correspondence had been going on since April, 1878, with reference to the first part of the question, and so far as he could make out there was no objection to the proposal: in fact, it was considered a very advisable one. As to the second part of the question, he would like to confer with the honorable gentleman in order to ascertain its meaning, when he would give an answer to it on a subsequent day.

J. MARSH.

Mr. BUNNY asked the Government, What course they mean to pursue upon the recommendation of the Waste Lands Committee on the petition of John Marsh? The petition recommended that the Government, in the event of the Borough Council of Cromwell advertising for sale any portion of the street line in Westmore Ter-

race, or taking any other action to diminish the width of such terrace, should take action through the Law Officers of the Crown to protect the public rights, the said terrace being the only and great highway available for traffic between Dunedin and Queenstown. It came to the knowledge of the Committee that a street was being narrowed to the width of 57 feet, and that a portion, 11 feet, had been cut off and offered for sale to the occupants on the line of street.

Mr. HALL said that the petition, and the report of the Waste Lands Committee, were to this effect: that the Cromwell Borough Council, in the exercise of rights conferred upon it by the Municipal Corporations Act, had determined to effect a certain narrowing of a public highway; but, so far as the papers connected with the matter went, there was nothing to show that the Government had any right to interfere in the matter.

QUALIFICATION OF ELECTORS BILL.

This Bill was further considered in Committee.

Clause 2.—Qualification of electors.

Subsection (1).—Freehold qualification.

Mr. TURNBULL moved, That, after the words "Every person of the age of twenty-one years or upwards," the words "being a ratepayer on any ratepayers' roll for property" be inserted.

Question put, "That the words proposed to be inserted be there inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	22
Noes	...	...	...	26

Majority against ... 4

AYES.

Mr. Barron,	Mr. Sheehan,
Mr. Bunney,	Mr. Shephard,
Mr. George,	Mr. Speight,
Mr. Gisborne,	Mr. Stewart,
Sir G. Grey,	Mr. Swanson,
Mr. Hamlin,	Mr. Tawhai,
Mr. Lundon,	Major Te Wheoro,
Mr. Macandrew,	Mr. Tole.
Mr. Montgomery,	
Mr. Moss,	<i>Tellers.</i>
Mr. Murray,	Mr. Ballance,
Mr. Seddon,	Mr. De Lautour.

NOES.

Major Atkinson,	Mr. Pitt,
Mr. Bain,	Mr. Richardson,
Mr. Brandon,	Mr. Rolleston,
Mr. Bryce,	Mr. Sutton,
Captain Colbeck,	Mr. Tainui,
Mr. Dick,	Mr. Tomoana,
Mr. Gibbs,	Colonel Trimble,
Mr. Hall,	Mr. Wakefield,
Mr. Kelly,	Mr. Reader Wood,
Mr. Levin,	Mr. Wright.
Mr. Mason,	
Mr. Masters,	<i>Tellers.</i>
Mr. McLean,	Mr. Hursthouse,
Mr. Oliver,	Mr. Stevens.

The amendment was consequently negatived.

Mr. Bunney

Subsection (2).—Residential qualification.

Mr. BALLANCE moved, That the word "man" be struck out, with a view to inserting the word "person."

Question put, "That the word 'man' stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	27
Noes	...	...	...	19

Majority for ... 8

AYES.

Mr. Bain,	Mr. Oliver,
Mr. Barron,	Mr. Richardson,
Mr. Brandon,	Mr. Rolleston,
Mr. Bryce,	Mr. Shephard,
Captain Colbeck,	Mr. Stevens,
Mr. Gibbs,	Mr. Sutton,
Mr. Gisborne,	Mr. Swanson,
Mr. Hall,	Mr. Tomoana,
Mr. Kelly,	Colonel Trimble,
Mr. Mason,	Mr. Reader Wood,
Mr. Masters,	Mr. Wright.
Mr. McLean,	<i>Tellers.</i>
Mr. Moss,	Mr. Dick,
Mr. Murray,	Mr. Wakefield.

NOES.

Mr. Ballance,	Mr. Sheehan,
Mr. De Lautour,	Mr. Speight,
Sir G. Grey,	Mr. Tainui,
Mr. Hamlin,	Mr. Tawhai,
Mr. Hursthouse,	Major Te Wheoro,
Mr. Lundon,	Mr. Tole,
Mr. Macandrew,	Dr. Wallis.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Pitt,	Mr. George,
Mr. Seddon,	Mr. Pyke.

The amendment was consequently negatived.

Mr. MURRAY moved the adoption of the following subsection:—

"Every male Maori, of the age of twenty-one years and upwards, whose name is enrolled upon a ratepayers' roll in force within the electoral district in respect of which he claims to vote, is entitled to be registered as an elector and to vote at the election of members for such district for the House of Representatives; but no such Maori shall be entitled to be registered as an elector, or to vote at any such election, in respect of any other qualification under this Act."

Mr. GISBORNE moved, as an amendment, the insertion of the following words after the words "claims to vote": "or who is seized in severalty of a freehold estate to the value of twenty-five pounds or upwards."

Amendment agreed to.

Question put, "That the subsection, as amended, stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	29
Noes	...	...	...	19

Majority for ... 10

AYES.

Major Atkinson,
Mr. Bain,
Mr. Beetham,
Mr. Brandon,
Captain Colbeck,
Mr. Dick,
Mr. Gibbs,
Mr. Gisborne,
Mr. Hall,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kelly,
Mr. Levin,
Mr. London,
Mr. Mason,

Mr. Oliver,
Mr. Pitt,
Mr. Pyke,
Mr. Richardson,
Mr. Rolleston,
Mr. Seddon,
Mr. Shephard,
Mr. Stevens,
Mr. Sutton,
Colonel Trimble,
Mr. Wakefield,
Mr. Wright.
Tellers.
Mr. McLean,
Mr. Murray.

NOES.

Mr. Ballance,
Mr. Barron,
Mr. Bunny,
Mr. De Lautour,
Sir G. Grey,
Mr. Hamlin,
Mr. Hutchison,
Mr. Macandrew,
Mr. Montgomery,
Mr. O'Rorke,

Mr. Sheehan,
Mr. Speight,
Mr. Swanson,
Mr. Tainui,
Mr. Tawhai,
Major Te Wheoro,
Mr. Tomoana.
Tellers.
Mr. George,
Mr. Moss.

PAIRS.

For.

Mr. Bowen,
Mr. Driver,
Mr. Fulton,
Mr. H. Hirst,
Mr. W. J. Hurst,
Captain Kenny,
Mr. Masters,
Mr. Moorhouse,
Mr. Ormond,
Mr. Richmond,
Captain Russell,
Mr. Saunders,
Mr. Studholme,
Mr. Whitaker,
Mr. Whyte,
Major Willis,
Mr. Reader Wood.

Against.

Mr. Hislop,
Mr. Turnbull,
Mr. Ireland,
Mr. Finn,
Mr. Reeves,
Mr. J. B. Fisher,
Mr. Stewart,
Mr. McDonald,
Mr. Allwright,
Mr. Shrimski,
Mr. Brown,
Mr. Reid,
Mr. Andrews,
Mr. Thomson,
Major Harris,
Mr. J. T. Fisher,
Mr. Tole.

The subsection was consequently agreed to.
Subsection (5).—Aliens, &c., disqualified.

Mr. GEORGE moved, That, after the words "unless he shall have received a free pardon," the following words be inserted: "or shall have undergone the sentence or punishment to which he shall have been adjudged for such offence."

Question put, "That the words proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	22
Majority for	...	...	...	...	4

AYES.

Mr. Ballance,
Mr. Barron,
Mr. Bunny,
Mr. De Lautour,

Mr. Pitt,
Mr. Pyke,
Mr. Sheehan,
Mr. Speight,

Mr. Dick,
Mr. Gisborne,
Sir G. Grey,
Mr. Hamlin,
Mr. Hutchison,
Mr. Johnston,
Mr. London,
Mr. Macandrew,
Mr. Montgomery,
Mr. O'Rorke,

Mr. Swanson,
Mr. Tainui,
Mr. Tawhai,
Major Te Wheoro,
Mr. Tomoana,
Mr. Turnbull.

Tellers.

Mr. George,
Mr. Moss.

NOES.

Major Atkinson,
Mr. Bain,
Mr. Beetham,
Mr. Brandon,
Captain Colbeck,
Mr. Gibbs,
Mr. Hall,
Mr. Hursthouse,
Mr. Kelly,
Mr. Levin,
Mr. Mason,
Mr. McLean,

Mr. Murray,
Mr. Oliver,
Mr. Rolleston,
Mr. Seddon,
Mr. Shephard,
Mr. Stevens,
Mr. Wakefield,
Mr. Wright.

Tellers.

Mr. Sutton,
Colonel Trimble.

The amendment was consequently agreed to.
Bill reported with amendments.

The House adjourned at forty minutes past twelve o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 12th November, 1879.

Indecent Performances—Wellington Reclaimed Land—Provincial Expenditure and Receipts—Otago Waste Lands—Local Bills—University of Otago Bill—Oamaru Waterworks Bill—District Courts Proceedings Validation Bill—Elections Validation Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

INDECENT PERFORMANCES.

The Hon. Mr. REYNOLDS asked the Hon. the Attorney-General, Whether the Government intend, this session, to introduce a Bill to suppress indecent performances in theatres or other places of public amusement? He had been induced to put this question on the Order Paper because of the very strong feeling that existed in the City of Dunedin, in Christchurch, and, he believed, also in Wellington, in which places it was thought to be necessary to have fresh legislation on the subject. He hoped the Government would be able to give a favourable answer.

The Hon. Mr. WHITAKER said, in view of the fact that there were about ninety Bills standing upon the Order Papers of the two Houses, he thought it was almost impossible to introduce a Bill on the subject during this session. He admitted that legislation was desirable, and if there was time the Government would attempt to do something in the matter; but he could not promise that anything would be done.

WELLINGTON RECLAIMED LAND.

On the motion of the Hon. Colonel WHITMORE, it was ordered, That there be laid upon

the table copies of all correspondence by the late and present Government with the purchasers of sections on the reclaimed land at Wellington, or any agent on their behalf, relative to the extension or renewal of the promissory notes given for the unpaid instalments of the purchase-money.

PROVINCIAL EXPENDITURE AND RECEIPTS.

On the motion of the Hon. Colonel WHITMORE, it was ordered, That there be laid on the table a return showing the amount of expenditure by the General Government from revenue or loan upon works, roads, railways, in aid of local revenue, or for any other purpose except the ordinary departmental expenditure of the colony, within each provincial district, during the ten years from the 1st July, 1869, to 30th June, 1879; also showing the amount actually paid into the Treasury as profit, or excess of receipts over expenses of working and maintenance, from any public works constructed at the expense of the colony in each provincial district; together with the amount of provincial debt taken over by the colony, and the amount of the annual charge for interest on the same; and the total amount received by the General Government for Customs, Land Fund, or any other source in each province; and the amount paid by subsidy or otherwise to the local bodies by the General Government within those years: the above return to include any liability for deficit of Land Fund met by Treasury bills under "The Financial Arrangements Act, 1876."

OTAGO WASTE LANDS.

On the motion of the Hon. Sir F. DILLON BELL, it was ordered, That there be laid upon the table a return showing the blocks of land opened for disposal in the Provincial District of Otago since the 30th November, 1877; the area of each block; the area in each block set apart for sale, deferred-payment, and agricultural lease respectively; the amount paid to any pastoral tenant as compensation for grazing rights and improvements respectively; the cost of survey; the acreage in each class applied for; the amount of purchase-money or rent received; the amount paid to County Councils or Road Boards under section 59 of "The Land Act, 1877;" and the net sum available as land revenue.

LOCAL BILLS.

The Council went into Committee to consider the following resolution relative to local Bills:—

"Local Bills are those which, not being private Bills, affect particular localities only.

"No local Bill shall be read a second time in the Council unless notice shall have been given of the said Bill in the locality to which the Bill refers.

"Such notice shall state explicitly the object which such Bill is intended to effect, and shall have been published twice at least in two successive weeks before the second reading in a newspaper circulating in such locality.

"Where corporation property, or property held in trust for public, religious, or charitable purposes,

Hon. Colonel Whitmore

is, in any manner affected, a copy of the notice shall be served upon the owners or trustees of such property not later than three days after its first publication.

"In cases of Bills affecting property vested in the Crown, a copy of such notice shall, before or immediately after the first publication thereof, be deposited with the Secretary for Crown Lands.

"On the first convenient day after the meeting of Parliament the Council shall nominate twenty-six members to serve on Committees on local Bills.

"The twenty-six members so nominated shall be divided by the Speaker into four Committees—viz., one Standing Orders Committee on Local Bills, to consist of five members; and three other Committees on Local Bills, to consist each of seven members. Each of the said Committees shall elect its Chairman. Three members shall form a quorum.

"When a Bill has been read a first time the Speaker shall, if in his opinion it is a local Bill, refer the same to the Standing Orders Committee on Local Bills.

"Such Committee shall determine whether the Bill comes within the definition of a local Bill, and, if so, whether the Standing Orders in reference to local Bills have been complied with.

"If they determine that a Bill is not a local Bill, they shall so report to the Council.

"If they determine that a Bill is a local Bill, and that such Standing Orders have not been complied with, they shall so report to the Council; or they may, in their discretion, defer their report until a sufficient time has elapsed to enable the Standing Orders to be complied with, and then report accordingly.

"When the Standing Orders have been complied with, the Bill shall be referred to one of the three Local Bill Committees, and such references shall be made to the several Committees alternately.

"It shall be the duty of the several Local Bill Committees to examine, consider, and report on the Bills so respectively referred to them.

"After such report is made to the Council the same shall be read, and, if the Council think fit, ordered to be printed; and then, or at any time thereafter, on motion without notice, a day shall be fixed for the second reading."

IN COMMITTEE.

"On the first convenient day, to be fixed by the Speaker, after the meeting of Parliament, the Council shall nominate by ballot twenty-six members to serve on Committees on local Bills."

The Hon. Mr. G. BUCKLEY moved the omission of the word "twenty-six," with a view to the insertion of the word "twenty-one" in its place.

Question put, "That the word proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	24
Noes	...	...	...	...	4
Majority for	...	...	...	...	20

AYES.

Mr. Acland,	Mr. Martin,
Sir F. Dillon Bell,	Mr. Nurse,
Colonel Brett,	Mr. Paterson,
Mr. Dignan,	Mr. Peter,
Sir W. Fitzherbert,	Major Richmond, C.B.,
Captain Fraser,	Mr. Scotland,
Mr. Hart,	Mr. Waterhouse,
Mr. Henderson,	Mr. Whitaker,
Mr. G. R. Johnson,	Colonel Whitmore,
Mr. J. Johnston,	Mr. Wigley,
Mr. Lahmann,	Mr. Wilson,
Mr. Mantell,	Mr. Wood.

NOES.

Mr. G. Buckley,	Mr. Miller,
Mr. P. A. Buckley,	Mr. Reynolds.

The motion was consequently negatived.

Clause passed as printed.

"When the Standing Orders have been complied with, the Bill shall be referred to one of the three Local Bills Committees, and such references shall be made to the several Committees alternately."

The Hon. Mr. MANTELL moved, as an amendment, To omit all the words after "with," in line 2, with a view to inserting "they shall so report to the Council, and then, or at any time thereafter, on motion without notice, a day shall be fixed for the second reading."

Question put, "That the words proposed to be omitted stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	16
Noes	...	...	...	6
Majority for	...	...	...	10

AYES.

Mr. Acland,	Mr. Miller,
Sir F. Dillon Bell,	Mr. Nurse,
Colonel Brett,	Major Richmond, C.B.,
Mr. Dignan,	Mr. Scotland,
Sir W. Fitzherbert,	Mr. Waterhouse,
Mr. Hart,	Colonel Whitmore,
Mr. G. R. Johnson,	Mr. Whitaker,
Mr. Lahmann,	Mr. Wood.

NOES.

Mr. G. Buckley,	Mr. Mantell,
Mr. P. A. Buckley,	Mr. Paterson,
Captain Fraser,	Mr. Wilson.

The amendment was therefore negatived.

Resolutions reported to the Council with amendments, and agreed to, and ordered to be referred to the Standing Orders Committee, with instructions to prepare Standing Orders in conformity therewith.

UNIVERSITY OF OTAGO BILL.

The Hon. Mr. REYNOLDS, in moving the second reading of this Bill, said that, under the scheme for founding the settlement of Otago, the Association had to purchase certain lands which were set aside as an endowment for educational and religious purposes. Up to the time the

Constitution Act came into force in that province the Church Trustees, as far as means would allow them, devoted their attention to the question of education; but the Provincial Government, as soon as it was formed, stepped in and took charge of the education of the province. Shortly afterwards there were complaints that the Church was using these endowments entirely for Church purposes—that was the Presbyterian Church of Otago; and an arrangement was come to by means of which an Act was introduced into the General Assembly, providing that one-third of the proceeds of this endowment should be devoted to educational purposes and two-thirds to religious purposes.

The Hon. Sir F. DILLON BELL.—That was a private Act.

The Hon. Mr. REYNOLDS admitted that; but it had since been amended by public Bills applied for by the Presbyterian Synod, and passed in 1874 and 1875. By the Act of 1866, it was provided that one-third of the net funds arising from the trust should be called the Education Fund, and should be devoted to the erection or endowment of a literary chair or chairs in any college or university which might be erected or might exist in the Province of Otago. Section XII. of the Act provided that all professors to any literary chair endowed in the whole or to the extent of two-thirds of such endowment from the Education Fund should be appointed and removable by the said trustees with the concurrence of the Synod. In 1869 the University of Otago was erected, and some time afterwards a chair was endowed out of this fund, and a professor of mental and moral science was appointed by mutual arrangement between the University Council, the Synod, and the Church trustees. Some three years ago there was a proposal to appoint a professor of natural science. The Synod disagreed with this altogether, and then it was proposed to appoint a professor of English literature, English language, and history. This, again, did not meet the views of the Synod; and the result was that no agreement could be come to. In consequence, there had been a large accumulation of funds during the past three years, until there was now something like £6,000. The Synod had suggested a chair of moral philosophy and political economy, the professor of which would have to teach practically the same subjects that were now being taught by a professor appointed under the trust, and already attached to the University. It was in consequence of this disagreement that this Bill had been introduced. He might say that in the Synod the proposal adverse to the University was only carried by a majority of five, and there was a petition against the passage of any such Bill as this sent up to the Council this session.

The Hon. Mr. WOOD.—How many signatures are there to the petition?

The Hon. Mr. REYNOLDS replied there were eight or nine, he believed, though he was not certain on the point. However, the petition was on the table. The Royal Commission appointed to investigate into the question of university and higher education went very largely into the

whole question, and reported in the following terms:—

"We have it in evidence that the Synod of the Presbyterian Church of Otago has passed an Interim Act, which will come up for final decision in January next, the object of which is to apply to the establishment and maintenance of a chair in a Presbyterian college the proceeds of certain educational endowments which have hitherto been deemed applicable to the establishment and maintenance of chairs in the University of Otago. This Interim Act appears to have arisen out of a difference of opinion between the Synod and the Otago University Council as to the particular chair in that University to the establishment of which the funds were to be appropriated. In consequence of this difference of opinion, these funds have been for some time lying idle. We are of opinion that the purpose contemplated in the Interim Act of the Synod is contrary to the spirit of 'The Presbyterian Church of Otago Lands Act, 1866,' and that a short Act should be passed—first, defining what college or university is entitled to receive the benefit of the endowment; and, secondly, providing means for settling any difference of opinion between the Synod and the governing body of the college or university so defined."

He trusted the Council would agree to the second reading of the Bill, and, if it was desired to refer the matter to a Select Committee, he had no objection to that course being adopted. He had no desire to press the Bill if it was thought an improper Bill; but, speaking as the oldest member of the Church trustees, he might say that he felt convinced that that body would be only too glad to get out of the present difficulty by the passage of such a Bill as this.

The Hon. Sir F. DILLON BELL said the explanation given by the honorable gentleman of the facts of the case was correct, from his own point of view; but there was one matter not touched upon by the honorable gentleman, and which the Council should have its attention directed to before it approved the principle of the Bill. He might preface what he had to say by expressing his individual concurrence with the object of the measure, which he took to be that the Council of the Otago University should have the sole appointment and regulation of the professorial chairs in that University. The point, however, to which the attention of the Council ought to be drawn was this: A question of property was involved: and his honorable friend had not informed the Council whether the persons whose property was concerned were assenting to or dissenting from the measure. A Bill in the same shape as that now under consideration was introduced in the other House last year, but the Presbyterian body objected to its being passed suddenly without their having had an opportunity of expressing their views upon it; and now, this session, as had been pointed out by the mover, there was a petition by the Presbyterian body against the introduction of the Bill.

The Hon. Mr. REYNOLDS.—From a very small portion of them.

The Hon. Sir F. DILLON BELL.—Of course
Hon. Mr. Reynolds

every one residing in Otago knew that there was a difference of opinion upon this question. There were many who, like his honorable friend and himself, thought the object proposed by this Bill an excellent one, but who yet thought the Council ought to pause before it interfered with the funds of a religious body in this way, except by the consent of those interested. The funds derivable from the property were divided into three parts. Of these, two-thirds were to be devoted, under the Act of 1866, to the purposes of what was called the "Ecclesiastical Fund;" the remaining third was to create an "Education Fund;" and the application of the Education Fund was dealt with by clause 9, which said,—

"The said trustees shall from time to time apply the said 'Education Fund' (in accordance with regulations to be made by the said Synod in manner hereinafter mentioned) in the erection or endowment of a literary chair or chairs in any college or university which shall be erected, or shall exist, in the Province of Otago, or for either or both of those purposes."

This was the point which was involved. It was quite right that the University of Otago should have the sole appointment of its professorial chairs; but was it right that the endowment for these chairs should be forcibly taken out of this one-third, set aside by private Act, which formed the Education Fund, and which was the property of the Church? That was the point, and his honorable friend had not touched it. When the matter was before the House of Representatives last year, he feared that the interests of the Presbyterian Church might be damaged by hasty legislation without their knowledge, and he telegraphed to the Rev. Dr. Stuart, who had honored him with his friendship for many years, asking his attention to the matter, and requesting him to give some information upon it. The answer he received from him was, that the Presbyterian Synod were not prepared to agree to the dedication of their funds by Act of the General Assembly without their consent, or something to that effect. Whenever the Hon. Mr. Reynolds was in a position to say that the Presbyterian Synod had agreed that this third should be applied to the endowment of a professorial chair to be appointed by the University, with the nomination of which the Synod would have nothing to do, there would be no reason why this Bill should not be passed; but, until that was done, he ventured to say that the Council ought to give the matter great consideration before setting such a precedent. He objected altogether to such a course being adopted without due notice being given, and without the parties whose funds were to be dealt with being heard in respect of the proposition to change the purposes of their trusts.

The Hon. Mr. WATERHOUSE said it struck him that this was a private Bill. He was induced to arrive at that conclusion in consequence of having glanced over the proceedings of the House of Representatives last year in respect of this Bill. He found that the Bill had passed through certain stages there, when its course was arrested and it was referred to the Joint Committee on

Private Bills, who reported that it was a private Bill, and that it ought not to have been brought in until after the proper notices had been given. From what he heard, it appeared to him that they were bound to regard this as a private Bill. In fact, if a Bill of this character, one by which a close corporation—and he used the term respectfully—was to be affected in the management of its property and the carrying out of its duties, was not a private Bill, he did not know what constituted a private Bill. It seemed to him they ought not to proceed with this measure until they were satisfied that all the notices required in the case of private and local Bills had been given; otherwise a serious wrong might be done. As to the Bill generally, its object seemed to be a desirable one, and, so far as he could see, he would support it; but, at the same time, he would feel it his duty, even if it were not a private Bill, to oppose the second reading, unless the Hon. Mr. Reynolds gave a distinct promise that the matter should be referred to a Select Committee.

The Hon. Captain FRASER said it was well known in Otago that there was an intention to bring in this Bill, and when a similar Bill was brought in last session many members of the Synod gave in their adhesion to it, but afterwards changed their minds. Indeed, he was under the impression that the Rev. Dr. Stuart was in favour of the Bill, though he might have changed his opinions since. A petition came up from certain gentlemen last session, and was considered by the Public Petitions Committee, who were inclined to bring in a resolution very much like the present Bill, but for some reason or another which he forgot, they did not adopt that course. The Synod was at present in this dilemma: There was a sum of £6,000 accumulated, and they did not know what to do with it, and therefore they would be obliged to the University if it found them a way out of the difficulty. If the matter were referred to a Select Committee the facts would at once be brought out.

The Hon. the SPEAKER inquired if this Bill was in exactly the same terms as that introduced in 1878 into the House of Representatives.

The Hon. Mr. REYNOLDS replied in the affirmative.

The Hon. the SPEAKER said he recollected the circumstance of the case in regard to that Bill. His attention was drawn to it, and he held it was a private Bill. It was referred to the Joint Committee on Private Bills, and, in a report dated the 14th October, the Committee reported that this was a private Bill.

The Hon. Mr. REYNOLDS might be allowed to explain that the reason the Committee took that action was, that the Bill had been introduced without any one in the Provincial District of Otago knowing anything about the Bill. The decision, however, was called in question by the House, and, if he mistook not, a resolution was agreed to declaring that it was not a private Bill. If the Bill were referred to a Select Committee the whole question could be gone into, and it might be better to take that course rather than refer it to the Committee on Private Bills. If no

other honorable member intended to address the Council, he would like to reply to a few of the remarks that had been made.

The Hon. the SPEAKER said that, on referring to the Journals of the House of Representatives, he found that, upon the second reading of this Bill, it was referred to the Joint Committee on Private Bills, and the report of that Committee was to the effect that it was a private Bill.

The Hon. Mr. REYNOLDS said the Bill was taken up after that in the other branch of the Legislature, and it was resolved upon there that it was not a private Bill. It was taken up by Mr. Stout, who was then Attorney-General.

The Hon. Dr. POLLEN said the Hon. the Speaker had already ruled that this was a private Bill, and his ruling disposed of the question at once.

The Hon. the SPEAKER said he had so ruled it, but, if the honorable gentleman wished to make any explanation, of course he did not like to prevent him from doing so.

The Hon. Mr. PATERSON said this Otago Church Act was passed in 1866 as a private Bill. Two years afterwards, he thought, he introduced in the Council a Bill to make some amendments in that Act, and that Bill was disallowed upon the distinct ground that it was a private Bill, inasmuch as it proposed to make amendments upon a private Act. The present Bill proposed to make amendments upon the same Act; and, of course, upon the same grounds, the Council should regard it as being a private Bill.

The Hon. the SPEAKER said he perceived no reference in the Journals of the House of Representatives to the effect stated by the Hon. Mr. Reynolds—namely, that it was there resolved that this was not a private Bill. He saw no other course open but to refer this Bill to the Joint Committee on Private Bills; and the Bill stood so referred.

The Hon. Sir F. DILLON BELL wished to submit a point to the Hon. the Speaker which he thought was worthy of consideration. The Hon. Mr. Reynolds referred to the action that was taken in the other House of Parliament on the subject of the Otago University Bill, and the Speaker said that he had not been able to find that any later proceeding had taken place than the one to which he referred—namely, the bringing up of the report of the Committee on Private Bills. He wished, however, to call attention to a debate which took place in the other House on the 16th October, 1878, when Mr. Stout moved this motion: "That the report of the Joint Committee on Private Bills on the Otago University Amendment Bill be disagreed with." After considerable debate, that motion was adjourned, and it was only taken up again on the 31st October, a day or two before the prorogation. On that occasion Mr. Stout made a further statement, and after a short debate the House divided, there being twenty in favour of Mr. Stout's resolution and nine against it. The House, therefore, disagreed with the report of the Joint Committee on Private Bills. This raised a question which was worthy of the Hon. the Speaker's attention—namely, what was the effect of either House of

Parliament coming to such a conclusion? If the Joint Committee on Private Bills decided that a Bill was a private Bill, and one of the Houses of Parliament, after considering the report, decided that it was not, and proceeded with the Bill, what was the effect of such a proceeding?

The Hon. the SPEAKER said he was evidently in error in stating that there was no effective consideration of the report. It appeared to have been quite the contrary. There still remained, however, the fact that the Speaker did refer the question to the Joint Committee on Private Bills, and that that Committee did report that the Bill was a private Bill. He saw no reason, therefore, substantially to alter the decision he gave; but, incidentally, it was a point well worthy of notice, that it was an anomalous position that a Committee appointed by both Houses should come to a conclusion, and that one branch of the Legislature should repudiate its decision. So far as this Bill was concerned, it stood referred to the Joint Committee.

Bill referred to Joint Committee.

OAMARU WATERWORKS BILL.

On the Order of the day being called for the committal of this Bill,

The Hon. Mr. WILSON moved, on behalf of the Hon. Mr. Mantell, That the Order of the day be discharged; and that the Bill be referred to a Select Committee, to consist of the Hon. Mr. Waterhouse, the Hon. Sir F. Dillon Bell, the Hon. Mr. G. Buckley, the Hon. Mr. Wilson, the Hon. Mr. Miller, and the Hon. Mr. Mantell.

The Hon. Mr. WATERHOUSE requested to have his name withdrawn.

The Hon. Sir F. DILLON BELL begged to make a similar request. He very much regretted that the Hon. Mr. Mantell was not in his place that evening. When an honorable member took the course which the Hon. Mr. Mantell had taken in this particular matter, he did not think the honorable member had a right to absent himself on the very occasion when the question was raised. Although he regretted the honorable gentleman's absence, that, however, would not prevent him saying to the Hon. Mr. Wilson that he held it to be a very gross discourtesy to honorable members, whose work had been found fault with in the first place, to ask them to do that very work in another way. He confessed he felt very much affronted at the course which the Hon. Mr. Mantell had taken upon this occasion. It was an ordinary rule of courtesy that, if an honorable member wished to get members to serve on a particular Committee, he should at least do them the courtesy to ask them; but the honorable gentleman wished now to make them do, in another shape, the very work which he had found fault with them for doing. He considered this to be a proceeding which ought to be very strongly discouraged. He begged to move that his name be struck out of the list. He certainly would not take any part in the work which the Hon. Mr. Mantell thought it right to ask him to do after finding fault with it as he had done.

The Hon. Mr. WATERHOUSE suggested that the Committee should be elected by ballot.

Hon. Sir F. Dillon Bell

The Hon. Mr. WILSON had no objection to that at all.

The Hon. Mr. G. BUCKLEY inquired if it was competent for a member to move that the Bill be referred to a Select Committee.

The Hon. the SPEAKER replied in the affirmative.

The Hon. Mr. G. BUCKLEY begged to move, as an amendment, That the Bill be referred to a Select Committee of seven, to be elected by ballot. There were very important questions involved in this Bill, and he did not think it would be satisfactorily dealt with unless it was referred to a Select Committee.

Question put, "That the words proposed to be omitted stand part of the question," and negatived; and the amendment agreed to.

A ballot was then taken, and resulted in the appointment of the following Committee: The Hon. Mr. Acland, the Hon. Mr. G. R. Johnson, the Hon. Mr. Miller, the Hon. Mr. Wilson, the Hon. Mr. Mantell, the Hon. Dr. Pollen, the Hon. Mr. Waterhouse, and the mover.

DISTRICT COURTS PROCEEDINGS VALIDATION BILL.

The Hon. Mr. WHITAKER, in moving the second reading of this Bill, said the necessity for it arose through a mistake which was made in proclaiming districts under the District Courts Act. Honorable gentlemen would probably remember that in the Counties Act there was an express exception of all boroughs—no borough was to be included in a county. No doubt territorially boroughs were surrounded by counties, but they were, in all cases, eliminated from the county and excepted from its limits. In making District Court districts the boundaries of counties had been taken, and the consequence was that in some districts the Courts had been held in boroughs which were included in the territorial divisions of counties, but without any lawful authority. Doubts, therefore, had arisen as to whether the proceedings of those Courts were valid or not, and the object of this Bill was simply to declare that in the particular districts mentioned—Taranaki, Wanganui, Nelson, and Westland—the several towns that were situated in the middle of counties, but which were, at the same time, excepted from being part of the counties, should be deemed, by the District Courts Act, to be within the districts which had been constituted. It was what might be considered a very obvious mistake—taking the boundaries of the counties and treating them as the boundaries of the districts for the District Courts, forgetting that the boroughs in the middle of those counties were excepted from the counties. This Bill was necessary in order to validate proceedings that had taken place, and he hoped the Council would pass it without delay, in order that it might be sent to the other House.

The Hon. Mr. WATERHOUSE did not rise for one moment to oppose the second reading of the Bill, which he had no doubt it was desirable should be passed as soon as possible. He noticed that on the Order Paper of the other branch of the Legislature there were one or two further

amendments of this same Act, and his object in rising was simply to suggest to the Attorney-General that, where there were various amendments of the same Act to be passed during the session, it would be very desirable, if practicable, that they should all be incorporated in the same measure, so as to prevent confusion.

Bill read a second time.

ELECTIONS VALIDATION BILL.

The Hon. Mr. WHITAKER, in moving the second reading of this Bill, said he was afraid they were getting a great number of Validation Bills of one kind and another. This was the third he had had the honor of proposing to the Council. The object of this Bill was to validate the elections of three members of the House of Representatives, who were mentioned in the Schedule, and to relieve them from penalties. With regard to the first, William Henry Colbeck, it seemed that ten months ago he entered into a contract with the Post Office for the carriage of mails by steamers. He was not interested in the contract himself, but, being chairman of a company, he entered into the contract on behalf of the company. It was an incorporated company, with a large number of members, and the bond to the Post Office and the contract should have been taken in the name of the company; but, through some misunderstanding as to what was the proper way of doing it, and through filling up the bond amongst themselves, instead of employing some lawyer, as he presumed they should have done, they got themselves into this difficulty. And the peculiar part of it was this: When it turned out that William Henry Colbeck was supposed to be disqualified, the gentleman who was next to him on the poll for Marsden telegraphed to him (Mr. Whitaker) to know whether or not he would be seated in his place, and he returned answer that Mr. Dargaville himself was also a party to the bond, so that they would both be disqualified. This was not a case in which a man had wilfully entered into a contract for his own benefit. It was inadvertently done. Captain Colbert never had any interest in the contract at all, farther than as the holder of shares in a large company. As soon as it was found that he was placed in this position he was relieved from the contract, and other persons were appointed as security for its fulfilment, and at the present time Captain Colbeck was not a contractor. He never had any substantial interest in the contract, and now he had neither nominally nor substantially any interest further than as a member of an incorporated company. Hone Mohi Tawhai was a Native, and nobody thought that his being an Assessor would disqualify him. He had since got rid of that assessorship. It was not done wilfully, he believed, any more than in the case of William Henry Colbeck. The same applied also to Wiremu te Wheoro, who was agent for the Government. William Henry Colbeck having cleared himself from the contract, and the two Native members no longer holding the offices which they held, it was thought desirable that they should all be relieved from the disqualification. When the Disqualification Bill was before the House of Representatives

he had the honor of being a member of that branch of the Legislature, and he over and over again pointed out to the House that they were setting a trap, and that every session they would catch somebody. The first session they caught all the Government; in another session they caught nearly all the Government; again and now they had caught three members, and he was not sure that there were not other members also who might very properly be put into the Bill. However, nobody had desired to be put in except these three. This Disqualification Act would no doubt be a very great trap. That there should be a Disqualification Bill to keep men from entering into contracts with the Government for their own benefit, and with a view to the purity of Parliament, as it was called, there was no doubt; and the House had frequently attempted to pass a short Bill that would make it very clear. The short Bills that had been made were intended to be very clear, but had turned out nothing of the kind, and had generally been a trap for somebody or other. He trusted the House would allow this Bill to be read a second time.

The Hon. Mr. WILSON said the honorable gentleman did not say what the name of the company was.

The Hon. Mr. WHITAKER.—The Kaipara Steam Shipping Company, I believe.

The Hon. Mr. WILSON.—Does the honorable gentleman know the number of shareholders?

The Hon. Mr. WHITAKER.—About forty or fifty.

The Hon. Sir F. DILLON BELL asked the Hon. the Attorney-General what course it was proposed to take with respect to the costs which had been incurred in the proceedings which had been raised against either one or more of the gentlemen whose elections it was now proposed to validate. He understood that proceedings had been taken, and costs incurred; and it appeared to him that the Bill proposed to do something very different from what was done in the case of a similar Bill which was introduced before. In the previous case he understood that the person whose election was to be validated was not allowed to take advantage of the Act until he had paid the costs.

The Hon. Mr. WATERHOUSE.—The honorable gentleman is wrong.

The Hon. Sir F. DILLON BELL.—Was any provision then made for the payment of costs which had been incurred; and was it proposed that any provision should be made now? It did not seem to be right that they should pass a Disqualification Act, encourage proceedings to be taken under that Act, and then remove the disqualification, and leave the persons who had taken those proceedings under the law to pay their own costs. It was true that in some cases proceedings might be taken in a vindictive spirit; but, so long as the law was as it stood at present, it was not right to validate an election without making some provision for the payment of costs which had been legally incurred.

The Hon. Mr. WATERHOUSE agreed with the remarks of the Hon. Sir F. Dillon Bell. When the last Disqualification Bill was before

the Council he felt very strongly the objection to which it was open in consequence of its not providing for the repayment of expenses incurred by persons who had acted in accordance not only with the letter, but with the spirit of the law, and he thought this Bill was open to the same objection. The result of passing these Validation Acts without any reservation as regarded those who had taken action under the Disqualification Act, was to make innocent persons suffer pecuniary penalties. He would not oppose the second reading of the Bill, but he thought it just as well again to state his views on the subject. Should another Validation Bill come before them, and should he still hold a seat in the Council, he would endeavour to give effect to his views by expressly protecting the rights of persons who had taken steps to vindicate the law in accordance with the spirit of their legislation.

The Hon. Mr. WOOD would like to hear from the honorable gentleman in charge of the Bill if he would be prepared in Committee to make some proposal to provide for what had been referred to by the last two speakers. He did not know whether the costs incurred came to a serious amount—

The Hon. Mr. WILSON.—Very small.

The Hon. Mr. WOOD said, however small the amount might be, as an act of justice he thought the person who had taken the proceedings should not, through any action of the Council, find that he had lost the money, and that the Council had stepped in to interfere with a matter that ought to have been left to another tribunal. He was not anxious that the gentleman against whom these proceedings had been taken should be made to pay the amount, whether small or large; but he thought the person who had instituted the action should be free of any charge for costs, if his interests and his action were interfered with by the Council.

The Hon. Captain FRASER was not aware until the present moment that any action had been taken against one of these gentlemen. He would like to know from the Attorney-General whether the matter was *sub judice*. If it was, the Council had no right to proceed with this Bill. How could they do a wrong to a person who wished to uphold the law? Because some person wished to uphold the law and do what was right, it was proposed to throw him out of Court by passing such a Bill as that now before them. He would test the honor of the Council by moving, That the Bill be read a second time that day six months.

The Hon. Mr. G. BUCKLEY thought it would be better to repeal the Disqualification Act altogether, because it was only treating it as a farce to be continually bringing in these Validation Bills. The Attorney-General said that the Disqualification Act was a trap to candidates. He (Mr. Buckley) thought it was quite the opposite, because the candidates were always whitewashed. It was a trap for the public outside who took action on it.

The Hon. Dr. POLLEN would say, for the information of the honorable gentleman who moved the amendment, that in both cases in which legal

Hon. Mr. Waterhouse

proceedings had been taken they had apparently been instituted in a friendly way. On the one side some friends of an honorable gentleman thought he was voting, or was disposed to vote, on the side which they were inclined to consider the wrong side, and by way of giving him a little instruction legal proceedings were taken against him. And on the other side also an honorable gentleman changed his opinions upon certain questions, and as soon as that was known he also was instructed that he was following a devious path. So that the instruction was equalized on both sides. Both the honorable gentlemen had in a friendly way received an intimation that they were going wrong altogether, and that they had better see to it. Under these circumstances his honorable and gallant friend would probably not be disposed to press his amendment.

The Hon. Mr. WILSON had a strong feeling in favour of the amendment of the Hon. Captain Fraser. It would be better to repeal the Disqualification Act at once than to let it be known that it only had to be broken, when an Indemnity Act was bound to be passed. What had fallen from the Hon. Dr. Pollen struck him as being not at all what ought to exist. They were told these were friendly actions that were brought. These friendly actions should not be encouraged at all. With regard to the remarks of other honorable members as to the costs, he hoped they would not be listened to for one moment. He was aware that actions had been brought against two of these honorable members, but it was certainly the first time he had heard they were what were called friendly actions. It had been decided at Home by the Court of Queen's Bench that no recovery in a friendly action was of any avail at all if it turned out that the action was merely simulated to save penalties—that that was not a compliance with the Act, and was no answer whatever. There was a great deal more to be said for the two Native members, and had the Bill been confined to their cases he would have supported it at once. Those honorable members held offices to which very small salaries were attached; and, beyond any doubt, they were unaware that the Disqualification Act existed. Therefore there was a great deal to be said for them. As for the honorable member who was named first in the schedule, he was disposed to think there was not a great deal of merit in his case. He (Mr. Wilson) was bound to accept what fell from the Attorney-General; but he had a different version. However, he would say no more about that. The Attorney-General had answered the questions he had asked him in a frank manner, and he would assume that the facts were such as the honorable gentleman stated. But, on the other hand, he asked the Council to pause before they allowed it to be assumed that the Legislature had passed a Disqualification Act which it was content should be regarded as a mere farce. The Attorney-General seemed to indicate that it was to be a frequent practice to bring in these Validation Bills, and he would therefore ask the honorable gentleman to take the initiative, and to bring in a Bill to repeal the Disqualification Act altogether. He had always

considered that the Disqualification Act was not a genuine thing at all. He did not think it expressed the feelings of either the members of the Council or the members of the other House. It was a sort of assumption of a virtue that he did not believe the Assembly possessed. It was true that the Act had prevented some undesirable appointments being made, but he was afraid that would not last long, as the twelve months soon expired. But the principle was important. They passed an Act which professed to be one of great importance, affecting their political purity and a great deal else, and it was very inconsistent that the moment it turned out that the Act had been flagrantly infringed they should bring in a Bill validating a proceeding which it was the intention of a former Act to prevent.

The Hon. Dr. POLLEN explained that he did not use the word "friendly" in the usual professional sense. It was in another sense altogether that he used the word.

The Hon. Mr. TAIAROA rose to speak on this Bill because he noticed the names of Hone Mohi Tawhai and Wiremu te Wheoro in the Schedule. He thought it was perfectly right to include them in this Bill, because they evidently acted in ignorance. They were not aware of the provisions of "The Disqualification Act, 1873," because it had not been translated to them, nor had any notification been given of it in the *Gazettes*, so that the Natives might have a reasonable chance of making themselves acquainted with it. When he (Mr. Taiaroa) was called to the Upper House, Mr. Tainui came forward to represent the Middle Island. He (Mr. Taiaroa) then knew that there was something in existence with regard to disqualification, but he did not know exactly what it was, and, although he looked through the *Gazettes* and other papers, he could not ascertain anything about it. But he told Mr. Tainui that he would have to resign his assessorship before he could come forward. Mr. Tainui telegraphed to Mr. Alexander Mackay asking if this was the case, and Mr. Mackay replied that some members still sitting in the House received salaries from the Government; so that it was not until Mr. Tainui received notice from the Government that he must resign, through Mr. Mackay, that he did qualify himself to become a member of the House. The same thing applied, no doubt, to Mr. Tawhai. He would not say that Mr. Tawhai was to blame, because he thought that Mr. Commissioner Kemp should have known, and should have informed him of his error. Mr. Kemp was the paymaster who paid the Natives in the Auckland District, and it was from him that the proper information should have come. Therefore he did not agree with the Hon. Captain Fraser, who wanted this Bill to be read a second time that day six months—that was, so far as regarded the Native members. With regard to the European member, Mr. Colbeck, the case was altogether different. He should have known about the Disqualification Act, or he should have made some inquiries before he sought for election. There was another point to which he wished to allude. Proceedings had been taken against two members named in the Bill, and, if the Bill were passed, something ought

to be done in regard to the actions that had been taken. Persons who had commenced those actions had every claim to consideration, because they might very well say, "After we commenced actions against those persons, you came in and put a stop to them, to our injury." The Attorney-General should tell them what the Government would do with regard to those actions.

The Hon. Mr. WHITAKER said that in the first place it seemed to him there was a great difference between a case in which the law had been wilfully broken, and one where it had been inadvertently broken. In a case where the law of disqualification had been wilfully broken he did not know that he would endeavour to pass such an Act as this; but where, by a mere misunderstanding, a man got himself into a false position, the case was very different. The Act never contemplated dealing with cases of that kind. The Hon. Captain Fraser, in a fit of virtuous indignation, proposed that the Bill should be read a second time that day six months, because he thought some actions had been brought, and there was no provision for paying the costs of these persons whose actions would be stopped if this measure were passed. That was no reason why the Bill should not now be read a second time. If the Bill was deficient in any respect, surely that could be remedied in Committee. But so far as he (Mr. Whitaker) could learn, the action that had been brought against Captain Colbeck had fallen through, having been improperly brought. At any rate no action was pending yesterday, and none had been commenced in the interval so far as he was aware. With regard to the Native cases, the action against Mohi Tawhai had also fallen through, because of some mistake in the form in which the action was brought. Thus that was got rid of. Whether there was a second action or not he did not know.

The Hon. Mr. WILSON.—Yes, there is.

The Hon. Mr. WHITAKER said that against Major Te Wheoro no action had been brought. So far as costs were concerned he should have no objection to a clause being inserted providing that, if any actions were pending, the parties who were stopped from proceeding should be paid their costs. The Hon. Mr. Wilson had also exhibited a great deal of virtuous indignation; but he might inform the honorable gentleman that a great many lawyers gave the opinion that Captain Colbeck had not rendered himself liable to any penalties at all. He would remind the honorable gentleman that there were five or six lawyers in the other House who were on the same side of politics as Captain Colbeck, and they all, at one time, came to the conclusion that he was not subject to any penalty; but no sooner had Captain Colbeck gone over to the other side of the House than it was discovered that he was subject to penalties. He did not think his honorable friend was one of those lawyers, but they were gentlemen on the Opposition side in the other House. They even telegraphed to the late Attorney-General in Dunedin (Mr. Stout), and got his opinion that Captain Colbeck was not subject to any penalty. The peculiar circum-

stance was, that a person named Brown, who, he believed, was whip on the Opposition side in another place, issued a writ against Captain Colbeck immediately upon his changing sides. But, unfortunately, this gentleman in bringing his action made a blunder, and the proceedings had to fall through, notwithstanding all the legal talent brought to bear. Then Mr. Sydney Taiwhanga brought an action, but that also fell through; while Major Te Wheoro, who really was the worst offender of all, had no action brought against him. That honorable gentleman was informed that he ought to resign, and did not do so. He had recently sent a message to the honorable gentleman, telling him he must resign his Government appointment at once. Before the Bill went into Committee he would make inquiries as to whether there were any actions now in existence, and, if so, he would introduce a clause to meet the point which had been raised as to costs.

The Hon. Captain FRASER asked leave to withdraw his amendment.

Amendment, by leave, withdrawn, and Bill read a second time.

On the motion, That the Bill be committed next day,

The Hon. Captain FRASER said his only reason for proposing the amendment was, that it had not been the practice of the Council to pass Bills relating to matters *sub judice*.

Motion agreed to.

The Council adjourned at eighteen minutes past nine o'clock p.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 12th November, 1879.

First Readings—Second Reading—Third Readings—Mataura River Bridge—Government Advertising and Printing—Provincial Expenditure and Receipts—Anderson's Bay Road—Wellington Reclaimed Land—Indecent Performances—Hokitika—Jackson's Bay—Otago Railway Line—Akaroa Post and Telegraph Office—Honorarium—Emigration Land Orders—Otago Central Railway—Timaru County—Waipahi—Pomahaka Railway—W. te Kheha—W. Wilkinson—Questions—Rating Bill—Native Reserves Vesting Bill—Land Transfer Bill—District Courts Bill—Miners' Rights Fee Reduction Bill—Gold Duties Abolition Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Hokitika Harbour Board Endowment Bill, Alexandra Corporation Reserve Boundaries Bill.

SECOND READING.

Queenstown Racecourse Reserve Bill.

THIRD READINGS.

Auckland Loans Consolidation Bill, Dramatic Works Copyright Bill, Wairarapa Racecourse Bill.

Hon. Mr. Whitaker

MATAURA RIVER BRIDGE.

Mr. IRELAND asked the Minister for Public Works, If the Government will cause a sufficient sum of money to be placed upon the estimates for the construction of a bridge for traffic across the Mataura River, at some point between Waikaia and Gore? There had hardly been any public money whatever expended in this district, which had been left nearly altogether to its own resources. The Waimea Plains Railway would necessarily have to cross the Mataura River in order to communicate with Waikaia; and he trusted the Government would accede to his request, and take into consideration the necessity for this bridge. In 1878, when the last great flood occurred, the people suffered much inconvenience through not being able to cross the river to obtain supplies, and had to borrow tea, sugar, and other necessities of life from their neighbours. He trusted the Government would see their way to carry out this small work.

Mr. OLIVER said this bridge was a local work, and the cost would probably be £10,000. If the railway to Waikaia was constructed there would be very little need for erecting this bridge, as possibly a traffic bridge would be united with the railway bridge.

GOVERNMENT ADVERTISING AND PRINTING.

Mr. McLEAN asked the Government, If they will lay before this House a return showing the amount paid to each newspaper in the colony for advertising and printing (separately) for the two years previous to 30th September last?

Mr. HALL replied that a return had been prepared, not for the period asked for—two years—but for the period from the 1st July, 1878, to the 1st September, 1879. Assuming that that return would be sufficient, he begged to lay it on the table.

PROVINCIAL EXPENDITURE AND RECEIPTS.

Mr. BARRON asked the Government, When the return moved for and agreed to by this House on 21st August, 1878, to the effect, "That there be laid before this House a return in tabular form, showing the total amount of consolidated revenue received in each provincial district for the years 1877-78; also the amount expended in each provincial district during said period—1st, out of consolidated revenue; 2nd, out of loan. Such return to specify—(1) the portions which have been expended for general purposes (all others except Native and Defence); (2) those which have been expended for Native and Defence purposes; and (3) the percentage each such expenditure bears to the revenue derived from provincial district; being a continuation of Return B.-8 of last session (1877)"—will be laid before this House; and whether the Government have any objection to continue the return up to the end of last financial year? He was aware that when a similar return was asked for last year it was urged by the Treasurer that it would be exceedingly inconvenient and costly to prepare it. However, as the House had agreed that the

return should be laid on the table, he wished to know when it would be prepared, as it would contain information of great value to the House, especially at present, and not otherwise easily collected.

Major ATKINSON said it would be almost impossible to prepare the return in accordance with the Order of the House. He was making every inquiry about it, and would shortly be able to inform the House whether it could be prepared or not.

ANDERSON'S BAY ROAD.

Mr. BARRON asked the Government, If they have granted or intend to grant to the Otago Harbour Board half a chain of the Anderson's Bay Road; and, if so, under what legal authority can such grant be issued?

Mr. ROLLESTON said that no such grant had been made, and it was not the intention of the Government to take any action which would interfere with the road.

WELLINGTON RECLAIMED LAND.

Mr. GEORGE asked the Colonial Treasurer, If the promissory notes due at the beginning of this month by various persons, as part payment for the purchase of sections of the Thorndon reclamation, have been paid; and, if not, why not?

Major ATKINSON said that the Government had received applications from some of the reclaimed-land purchasers, requesting that a further extension of time should be granted in consequence of the depression that had lately prevailed. They had made similar applications before, but the then Government decided that, as a sufficient amount had not been paid to make the securities valuable, the request could not be granted. The purchasers had now paid two-fifths of the purchase-money; and the Government, taking into consideration the present depression, had granted a three-months extension to all those who desired it, the bills to bear interest at the rate of 8 per cent. About one-third of the purchasers had elected to pay, and £7,000 had been paid out of £24,000.

Mr. GISBORNE said the late Government did not decide that an extension could not be granted because a sufficient sum had not been paid. They said that a contract had been entered into, and must be duly fulfilled; and they therefore refused to accede to the application for an extension of time.

Major ATKINSON.—The papers do not show that; and I am sorry to say that there is no contract to be found anywhere.

Mr. GISBORNE.—I mean the contract for the purchase.

Major ATKINSON said there was no contract; there were the bills, of course. But he did not wish to imply that the decision of the Government rested on anything the late Government had done. They were prepared to accept the whole responsibility.

INDECENT PERFORMANCES.

Mr. BAIN asked the Government, Whether they intend, this session, to introduce a Bill to

suppress indecent performances in theatres and other places of public amusement? He thought it right to mention that the proprietors of the theatre in Invercargill had positively refused to lease it to a certain company of unenviable notoriety.

Mr. HALL thought it very desirable that the subject should be dealt with by Act; but, looking at the fact that there were eighty-three Bills on the Order Paper already, he did not think it at all likely that they would get a Bill of the kind through this session. The subject had been referred to in the other branch of the Legislature; and it would perhaps be better that the honorable gentleman should communicate with some member of the other Chamber, with a view to the introduction of a Bill there.

HOKITIKA-JACKSON'S BAY-OTAGO RAILWAY LINE.

Mr. GISBORNE asked the Government, Whether they will take steps, during the recess, to cause a flying exploration to be made of the South-west Coast country between Hokitika and Jackson's Bay, and by the way of Haast's Pass into the settled districts of Otago, with a view to ascertaining its availability for a line of railway, the extent and description of Crown lands which could be opened up for settlement, and its general mineral resources? The country to which the question referred was at present unknown, and he had a confident feeling that its exploration would repay the cost over and over again. He had had private intimation of the discovery of a coal seam in the vicinity of the Haast and Clarke Rivers, and a late telegram showed that there was a probability of a successful gold field being opened up in the country near Okarito.

Mr. OLIVER said that nothing had been decided yet in regard to the exploration of this country. The Engineer in Charge of the Middle Island intended to go through the Haast Pass country this summer, but the amount of business in the office would probably prevent him.

AKAROA POST AND TELEGRAPH OFFICE.

Mr. MONTGOMERY asked the Postmaster-General, If a sum of money will be placed on the estimates for the erection of new post and telegraph offices at Akaroa, in accordance with the petition of the residents of that place, dated 1st September?

Mr. HALL said he had inquired into the matter, and found that the present condition of the building occupied as a post and telegraph office at Akaroa was not satisfactory. It was the intention of the late Government to place a sum of £600 on the estimates for the erection of a new post office, but the present Government were not able to deal with the matter in that liberal manner. They believed that, by the expenditure of a smaller sum, reasonable provision for the transaction of the postal and telegraph business might be made in the present office for some years to come. He was sorry the honorable gentleman's constituents would not, on this occasion, receive the same liberal treatment they had received on

former occasions; but, as a rule, he thought they had no reason to complain.

Mr. MONTGOMERY thought it scarcely necessary for the honorable gentleman to make such remarks.

HONORARIUM.

Mr. GEORGE asked the Premier, If the Government are preparing, and intend bringing down this session, a Bill for the purpose of settling the amount of honorarium to be paid to members of the Legislature, a resolution to this effect having been carried by this House?

Mr. HALL said the Bill was in print, and would shortly be sent down by message from His Excellency the Governor.

EMIGRATION LAND ORDERS.

Mr. GIBBS asked the Minister of Lands, If he will submit to this House a return of the number and value of the emigrants' land orders issued by the Agent-General's Department in England upon which, up to the present time, the holders have not made their selection? He believed that a great many of these land orders had been issued the holders of which had not been able to avail themselves of the right of selection. A large number of mechanics had been induced to pay their passages from England in the expectation that they would be able to get a suitable piece of land, and employment at their various avocations; but they had been unable to do so. Like most of the older colonists, they found things not exactly as they had calculated: in fact, they could not get the land where the work at their trades was in demand; consequently their land orders were useless. He therefore thought that something ought to be done, in justice to the holders of these land orders.

Mr. ROLLESTON said that, in accordance with a promise made some time ago, a return showing the number of these claims was being made out. They varied in character very much, and the same rule, he was afraid, would not apply to them all. However, he was having them collated, for the purpose of forming an opinion upon the matter.

OTAGO CENTRAL RAILWAY.

Mr. PYKE said that some weeks ago he asked the Minister for Public Works whether instructions had been issued for the immediate prosecution of the Otago Central Railway; and, if so, upon what date the instructions were issued.

Mr. OLIVER said the matter had been delayed owing to pressure of business in the department, but the work was actually begun last week.

TIMARU COUNTY.

Mr. WAKEFIELD, in moving the motion standing in his name, said that about the month of January last an agitation was got up in the Geraldine County to separate the Mount Cook Riding from that county and constitute it a county. The Mount Cook Riding contained the area and population required by the Act in order to enable it to be constituted into a new county, and the inhabitants petitioned to be so constituted. Shortly afterwards the Levels Rid-

ing, which included in its limits part of the Town of Timaru, also got up an agitation for separation; but that riding did not contain the population required by the Act to enable it to be constituted a new county. In order to comply with the technical terms of the law, the petitioners included in their petition a considerable portion of the Mount Cook Riding, which had already begun to petition for separation. The petition from the Levels Riding reached the Government first, and subsequently the Mount Cook petition was sent in. But, for some reason which he did not know, the Government proclaimed the Timaru County, and laid the Proclamation before Parliament. They entirely overlooked the petition from the Mount Cook Riding, and proclaimed the Timaru County in spite of a petition from a number of the inhabitants of Timaru protesting against the change. The effect of constituting this new county would be very injurious to the inhabitants of the Mount Cook Riding, who had protested against it, because they belonged to a wealthy district which was quite capable of carrying on all necessary public works; whereas the new Timaru County had no money except the rates, and would not be at all in as good a position as the Mount Cook County would be. A curious legal point arose owing to the Government having proclaimed the Timaru County during the session. The Act said that, when a new county was proclaimed, a copy of the Proclamation was to be laid before Parliament within ten days after its next sitting after the issue of such Proclamation. That he held to mean the next session of Parliament. It could not mean the next sitting in the same session, because it might be that the two branches of the Legislature would not be sitting on the same day. Besides, if that were the interpretation of the law, it would be quite possible to defeat the intention of the Act, because the Proclamation might be laid before Parliament on the last day of the session, and so no opportunity would be given to the Legislature to express an opinion upon it. He had, through the courtesy of the Government, been able to consult the Law Officers of the Crown on the subject, and he was told that this was a point which could only be decided by a Court of law. If, therefore, the County of Timaru were now constituted, it would commence its existence under doubts as to the legality of its constitution, and actions would at once be entered into against it in the Supreme Court by those who were opposed to its constitution. It would surely not be well to constitute a county the legal existence of which would thus be immediately called in question. He believed the late Colonial Secretary had made a blunder, and thus unwittingly thrown the whole subject into confusion. As the shortest way of getting out of the difficulty, he asked the House to pass this resolution. He had tried every other possible means, but had not been able to succeed. He had consulted the Law Officers of the Crown and the Government, and, as a last resource, asked the House to pass the resolution, as the only way to solve the difficulty. The feeling in his district was very strong about it, and there

Mr. Hall

was a general wish that the county should not be constituted. The whole agitation for the separation of the county arose under peculiar circumstances, in order to prevent the Counties Act being brought into force. The Act not having been brought into force, the agitation had died away, and there was no longer any desire to separate from the County of Geraldine.

Motion made, and question proposed, "That, in the opinion of this House, the proposed new County of Timaru should not be constituted."—*(Mr. Wakefield.)*

Mr. GISBORNE said his objection to the motion was at present only that it recognized that the Proclamation of the county was duly before the House. According to his view of the meaning of the Act, this Proclamation should not be presented to this House or the other House until next session. The Act said the Proclamation must be presented within ten days after the next sitting of Parliament. It could not mean the next sitting of either House, because which House would it mean? The "sitting of Parliament" evidently meant what is generally called a session of Parliament, and therefore the document ought to be laid before Parliament during the next session after the issue of the Proclamation. If issued during a current session, it must be laid before Parliament at a subsequent session. That stood to common sense. The object of laying the Proclamation before Parliament was, that each House should intelligently consider the subject of the Proclamation. If the Proclamation were laid before Parliament within ten days after the issue, the Government might wait until ten or eleven days before prorogation, and then lay the Proclamation before Parliament on the last day before prorogation. The result would be that the Parliament would have no fitting opportunity of passing a resolution on the subject, and the county would be legally a county without the Legislature having an opportunity, as required by law, of expressing its opinion. The whole object of the Act might thus be frustrated. Therefore he did not think they should pass a resolution merely stating their objection to the constitution of the county on its merits, but they should express an opinion that the Proclamation was not duly before them so as to give them an opportunity of considering its purport.

Mr. TURNBULL said that no doubt there was a legal point involved in this question, but he would wish to draw attention to this point: that, if there was any blame in the matter, the honorable member who moved this motion was the cause of it, because, on the 23rd September, 1879, a meeting of the Levels Road Board was held, at which the honorable member for Geraldine moved a resolution, which he (Mr. Turnbull) had in the honorable gentleman's handwriting, for the formation of this new county. The honorable member was the father of the whole movement. The reason then given by the honorable member was that if they separated they would have the spending of their own money, and self-government and taxation in their own power. If any one was to blame in this matter

it was the honorable member for Geraldine himself; and he regretted this very much, because the honorable member had a great character for consistency: but he had not seen fit to maintain it on this occasion. The facts of the case were perfectly well known at the time. The present Geraldine County was one of the largest in the colony, and would bear division. With reference to the Mount Cook petition against the formation of the county, it would be found that some of the ratepayers there had signed both petitions. There were very strong reasons why the county should be formed. He apprehended the County of Geraldine was not desirous of a diminution of its size. It was the largest in the district, and the people connected with the Levels Riding were desirous that they should be formed into a county, for reasons very fairly stated by the honorable member for Geraldine when he moved the resolutions at the meeting of the Road Board. The portion of the Mount Cook District proposed to be annexed was almost entirely the property of the Australian and New Zealand Company, whose manager was entirely with the movement. He would be sorry if this county were not brought into operation. He saw looming plainly in the distance the time when subsidies would be discontinued — when the contributions from the Land Fund would cease; and he would like to see every effort made to create local bodies that might take up those burdens which were coming fast upon them of maintaining institutions and other things of the same nature. He believed that was strongly felt by the promoters of this petition. He hoped the honorable member would withdraw his opposition to the new county, because, if any one deserved any blame or odium in the matter, it was the honorable member himself, who, by his influence and ability, had instigated them to this course. He regretted that, having led the people to take that course, the honorable gentleman should now, when the matter came before the House, see fit to oppose it. He (Mr. Turnbull) would certainly go to a vote on the question.

Mr. HALL thought it was very desirable that this matter should be put clearly before the House. The question, first, was whether the late Government, in this matter, acted legally or not. The law was by no means clear. The point was whether "next sitting" meant next session of Parliament, or next sitting-day after the Proclamation was issued. There was no doubt whatever that the spirit and intention of the law was that the Proclamation should be presented at the next session of Parliament. Otherwise, as had been pointed out, the whole intention of the Act could be defeated by presenting the Proclamation the day before the session closed. He thought that, if they had power to give effect to the real intention of the Act, they should do so, and he would therefore move, as an amendment, That the resolution should read, "That, in the opinion of this House, the Proclamation constituting the County of Timaru should not have been laid before Parliament until the next session, and that the county should not be constituted." That would be a guide for the Government in

future, and would prevent harm on the present occasion. This question had been laid before the Crown Law Officers; but the Government had been unable to get any very decided opinion from them. With reference to the merits of the proposal, he would state that in the Geraldine County there were two road districts—the Mount Cook Road District and the Levels Road District. A petition was received from the Levels Road District on the 4th of July, praying that that district and a portion of the Mount Cook Road District should be formed into a county. Another petition was presented from the Mount Cook Road District on the 20th of July, praying that the district by itself should be made into a county. The late Government took no steps with reference to the Mount Cook petition, but did take action upon the Levels petition. Immediately after the commencement of this session, a Proclamation creating the Levels District and a part of the Mount Cook District into a county was laid before the House. If that Proclamation were allowed to take effect, the Mount Cook District would be placed in two counties—the Timaru County and the Geraldine County—which was not a desirable thing. The honorable member for Timaru had stated that the honorable member for Geraldine had been instrumental in getting up the petition. If since that time the honorable member for Geraldine had seen that the petition was a mistake, and now admitted that it was wrong, there could not be a stronger argument in favour of the resolution. Upon general grounds they should not too lightly subdivide counties. They would be hindering the usefulness of the county in question by cutting it up and dividing it. That was the reason why he should be sorry to see the proposal carried. The decision of the matter might well be postponed, and, if the persons in favour of the petition were of the same opinion twelve months hence, the whole matter could be considered. He thought that would be the best course to adopt. He would therefore move the amendment he had read.

Mr. MONTGOMERY said it appeared to him, as had been stated by the Premier, that there was a doubt about the law. The merits of the case were not very clear to him, and the honorable member for Totara had stated that he knew nothing of its merits. They were now asked to decide a question of law, and also to decide on the merits of the case, which very few honorable members knew anything about. Under such circumstances, his course was to vote both against the amendment and the resolution. He should always object to vote in support of a subject of which he knew nothing.

Mr. STEWART thought the House was placed in a very undesirable position in having so important a question brought before it in such an off-hand manner. He was not in a position to pass any judgment upon the merits of the question. It was not placing the House in a fair position to call upon it hurriedly to pass some resolution the exact effect and purport of which few honorable members could realize. The honorable member for Geraldine, he thought, had acceded to the proposition laid down by the honorable

member for Totara, that the Proclamation should not have been laid before this session of Parliament. If the Proclamation had been improperly laid before the House this session, that act would be nugatory. If it should be brought before the House next session, the motion of the honorable member for Geraldine could then be considered. If the late Government anticipated improperly the time for laying the Proclamation before the House, he apprehended that such action would go for nothing, and they should suspend action in the matter. If the Government brought the question before the House next session, the House could then pass judgment upon it. He apprehended that the House would not affirm or disaffirm the proposition laid down by the honorable member for Geraldine without knowing more of the circumstances than it at present seemed to know. For himself, he knew nothing whatever of the merits of the question. He quite admitted that the question of law was very complicated, and very difficult. He was disposed to think that what was meant by "sitting of Parliament" was sitting-day, not session of Parliament: that was, the Proclamation was to be laid before Parliament within ten days after its sitting. That "sitting" must mean sitting-day. The most reasonable interpretation to be put upon the words was that a Proclamation should be laid before the House within ten days after its next sitting, in which case the House would, during the session, pronounce an opinion for or against it. It would lead to endless delay if any other interpretation were to be put upon the words of the Statute by saying that the wish of the petitioners should be suspended for twelve months. If a petition were presented that day, and if the House was perfectly competent to dispose of it, being in full possession of the information, there was no reason whatever why they should inform the petitioner that they could not comply with the request of the petition until twelve months hence. Reason was against such a contention. If the petition were presented on the last day of the session, and were to be taken into consideration ten days afterwards, it could not be taken up until next session. If the petition were presented ten days before the expiration of Parliament, the House would pronounce an opinion upon it before it separated. If not presented until within seven or eight days of the last sitting-day, it would be taken up and considered at the earliest possible period of the next session. He thought the House should dispose of the matter in some way or another. If the Proclamation was not properly before the House, they should not pass any judgment whatever on the case, but allow the matter to remain *in statu quo*.

Mr. SHRIMSKI did not think the matter could be settled that day. It was of too important a character, and honorable members should carefully consider it before doing an injustice to that part of the colony. He would move, as an amendment, That the debate be adjourned.

Mr. SEDDON would second the motion for the adjournment of the debate. It was a very large question, and honorable members were not

Mr. Hall

fully conversant with the facts of the case. The House was not in a position at the present to come to a proper conclusion upon it. If the Legislature passed the resolution referred to, it was only to meet extreme cases where the wishes of the ratepayers should not be complied with; otherwise the House might be taking action which would strike at the root of local self-government. Some deference ought to be paid to a petition emanating from seven hundred persons. It would be better to adjourn the consideration of the question until they had obtained more information, when they could discuss it on its merits.

Mr. WAKEFIELD said he was about to second the motion for adjourning the debate when the honorable gentleman rose. The honorable gentleman had not done him justice. It was quite against his desire that any time was taken up at all this afternoon with this motion. The only reason why he did not give fuller information on the subject was because the House was so impatient that honorable members were not listening to him. He could hardly hear his own voice, and members were trooping out in every direction, and he saw there was a great desire to get rid of the subject as soon as possible, and therefore he cut his remarks as short as he could. He was very anxious to give the House the fullest possible information, and he was satisfied that, when they had full information, they would see that the thing had got into an utter muddle from one fault and another—mainly from the late Government having laid the Proclamation on the table without having observed that both counties included the same area. The personal attack made upon himself by the honorable member for Timaru had no bearing upon the case whatever. The papers the honorable gentleman produced in the House were original documents connected with a public meeting that was held in the Levels Road District, and they had only been sent to the House through a gross breach of confidence on the part of the Chairman of the Board. He had seen those documents hawked about the streets at elections, and now they were brought up in the House to influence votes, and all because he happened to move a resolution at a public meeting, in order to give the people a voice in this matter. As he had already explained to the House, it was done entirely as a demonstration against the adoption of the Counties Act; and it was successful. Although he (Mr. Wakefield) did pay a few pounds towards the expense, the amount was nothing like that mentioned by the honorable gentleman. The thing was really of no importance at all, after the one object was gained. He hoped the debate would be adjourned for a week, when they could discuss it in a better frame of mind. But he desired the House to notice that this was not an insignificant question. It was a question of great importance, because it affected the position of every county in New Zealand—any other county might be in the same position to-morrow; and his only desire was that the Legislature would assist him in getting out of a difficulty which seriously affected the welfare of his constituents.

Mr. TURNBULL was not aware that he had made any personal attack whatever upon the honorable member for Geraldine, or that he had been guilty of any breach of confidence. Until he produced the papers just now, no one in the House had seen them. The honorable gentleman said there had been a breach of confidence. From what he had seen of the honorable gentleman's conduct in the House, he (Mr. Turnbull) would not even have said that the honorable gentleman had signed these papers unless he had them in his possession, and had the evidence of his own eyes. That was the reason why he had produced these papers, as he was determined that his statements should not be contradicted. As to any breach of confidence—

Mr. WAKEFIELD wished to explain that the honorable gentleman could not have heard what he said. He said it must have been a breach of confidence on the part of the chairman of the meeting at which the resolutions were passed.

Mr. TURNBULL said there would have been nothing to show what steps had been taken if he had not produced these documents. It was impossible that there could have been any breach of confidence on the part of the Chairman of the Board, who had forwarded them to him.

Mr. KELLY said it appeared very clear to him that, according to the 15th section of the Counties Act, the Proclamation ought not to have been laid before Parliament this session. He agreed that the debate should be adjourned for the purpose of inquiring what course the Government took, and whether they were advised by the Law Officers of the Crown that the Proclamation ought to be laid before Parliament during the present session, it having been issued during the sitting of Parliament. The 15th section of the Counties Act stated, "A copy of every such Proclamation shall be laid before Parliament within ten days after its next sitting after the issue thereof." That meant that the Proclamation should be laid before Parliament after the present session—after the session in which it was issued. If the word "House" had been used in the Act instead of the word "Parliament," the meaning might be such as was contended for by the honorable member for Dunedin City (Mr. Stewart); but there was no doubt in his mind that the "next sitting of Parliament" meant the next session, as the Parliament could only sit once during the session, and that was the whole session. He thought it very desirable that the House should be informed whether the Government laid the Proclamation on the table on the advice of the Law Officers.

Mr. HALL said it was done by the late Government, and he was not in possession of the information: of course he could obtain it by reference to the papers.

Mr. KELLY did not refer to any particular Government, because the Government never died. He wished to be informed, when this debate came on again, whether the Government had acted with the advice of the Law Officers of the Crown, as the question was one of importance to County Councils.

Debate adjourned.

WAIPAHI-POMAHAKA RAILWAY.

Mr. IRELAND, in moving the motion standing in his name, said the contract for this work, as nearly as he could gather, was entered into about sixteen or seventeen months ago, and the work progressed fairly until about three months since, when it came to a standstill. The contract was undertaken upon the condition that no payment should be made until the work had been finished: but, owing, he presumed, to the state of the money market, the contractors had been compelled to stop; and the object of this motion was to indorse, through the medium of the House, the action of the Government if they felt disposed to render assistance to the settlers by taking the contract off the hands of the contractors, or by making such an arrangement as might be fair to both parties, and going on with the work themselves. The reasons why this course should be adopted were very strong. No doubt nearly every honorable member was aware that the district referred to was perhaps one of the very best agricultural districts in New Zealand. The land was rich, and the crops, generally speaking, were very good. He believed it would be the most thriving district in the South Island if railway facilities were afforded to the settlers to find a market for their produce. By the construction of this line of railway they would be enabled to send their produce to Invercargill; and, in anticipation that the contract would be fairly carried out, not only the last but the previous season's grain also was waiting to be forwarded by this line. He was told by the settlers that unless the railway was completed they would be ruined. A deputation, composed chiefly of persons resident in the district, waited on the Minister for Public Works a short time ago, and urged this matter strongly upon his consideration; and he hoped the House would sanction the motion, and thus afford to the settlers of the district, from which something like £500,000 had been realized from the sale of land, the means of working their farms profitably. By doing that they would advance the interests of the colony. Any person who travelled through the district would see at once that railway communication was absolutely necessary, and that it should be pushed forward without delay, so that after the coming harvest the settlers could be assisted in getting their produce to market.

Motion made, and question proposed, "That, with the view of giving effect to the petition recently presented to the Government by the settlers in the Tapanui and Waikaia District, and of enabling them to get their produce to market, the Government be requested to take the necessary action to have the branch railway line from Waipahi to Pomahaka Bridge opened for traffic with the least possible delay."—(*Mr. Ireland.*)

Mr. OLIVER said the subject had already been before the House in the form of a question; and he then explained that the contract was let on peculiar terms, which were, that the payments should be made only after the railway was completed. The payments, which were to be divided into three periods, were to be made at 60, 120, and 180 days. The contractor, as the honorable

member for Waikaia had pointed out, carried on the work with reasonable speed for some time; but, apparently, he had felt the pressure of the times like other people, and the work had been neglected—so much so that it did not seem at all probable that the line would be completed within the contract time. Indeed, it was not easy to say now when it would be completed. The Government recognized the difficulties which the settlers laboured under from the want of communication. He knew that they had been compelled to sacrifice their crops for prices which were far from being remunerative to them. The Government regarded this as a strong reason why the contract should be varied; but he need hardly remind the House that, after all, it was a question of ways and means—a question how the funds were to be provided. Some time ago the House authorized the putting aside of a tract of land to furnish the funds to pay the contractor after the railway was completed, and, of course, under the present circumstances it would be very desirable to put off the day of payment as long as possible. If the honorable member would withdraw his motion, and the House would intrust the matter to the Government, he would undertake that the fullest consideration should be given to it, and they would, if possible, endeavour to arrange terms with the contractor which would justify them in taking over so much of the railway as would enable them to pay for the continued progress of the work. He could give no positive pledge, however, that that course would be followed, because, as he had just stated, the difficulty lay in obtaining the money. After what he had said, he thought the honorable gentleman would be best deserving the interests of his constituents by withdrawing the motion, and leaving the matter in the hands of the Government, to take what steps they thought most desirable.

Mr. MACANDREW could not see why the motion should not be accepted by the Government. There was really no difference between the terms of the motion and the honorable gentleman's proposal. If he were in the honorable gentleman's position he would prefer being fortified by such a resolution. There was no difficulty whatever in paying for the line. There were forty thousand acres of land which could be put into the market at once, which, notwithstanding the bad times, would fetch £2 per acre. He did not know what this portion of the line would cost: probably it would cost from £25,000 to £30,000; so that there would be no necessity for putting the whole of the land into the market at once. If the line were made up to the point indicated in the resolution, it would save the worst part of the road—namely, the part over the Conical Hills, which was steep and almost impassable, and prevented the people getting their produce to market. He really thought that if the Government were in earnest they should accept this proposal, and take steps to open the line as far as the Pomahaka Bridge. The whole contract was to be finished by July next year, and it was by no means certain that it would not be finished ere then, notwithstanding the present state of the money market. He had reason

to know that but for a breach of faith on the part of one of the great monetary institutions of the colony this part of the line would have been finished in a month or two; but in consequence of that breach of faith the contractor had experienced great difficulty. He indorsed all that had been said by the honorable member for Waikaiti. There was an immense quantity of produce hermetically sealed in that part of the plain, which would have to remain there until the line was made to the Pomahaka Bridge. The people in the district took up their land on the strength of the promise that the road would be made. That road had not been made because the Government undertook to substitute the railway for the road; and they had a great claim on the Legislature. The Tapanui branch diverged from the main line at Waipahi, and if opened to the bridge it would bring a large amount of traffic to the main line, which was an important consideration; and in the interests of the main line it ought to be opened for traffic at the earliest possible moment.

Mr. KELLY sympathized very much with the people in this district, who certainly ought to have every facility for bringing their crops to market. But they should all start fair. If the people of this particular district were to get a branch railway to bring their crops to market, the people of other districts in the North Island should have ordinary roads to enable them to bring their produce to market. The whole question, as stated by the Minister for Public Works, was one of finance; and, if the Government agreed to this resolution, he would undertake to "fortify" them with many other resolutions in the course of a week which would enable them to do justice to settlers in many other parts of the colony who had no means of bringing their crops to market. In the Province of Taranaki the settlers of many districts could scarcely bring themselves to market, much less their crops. They could scarcely get along the roads in the winter to obtain supplies for their families. He really thought the honorable gentleman should withdraw the resolution. It was not to be supposed, even if he should succeed in carrying it by a snatch-vote, that the Government were bound to act upon it. The honorable gentleman had this advantage: that a contract for the construction of the railway had already been entered into. He wished he could say the same for many districts in the North Island. If they had contracts let for branch lines in many districts in the North, they would not press the Government for much. In this particular case, if the contractor did not fulfil his engagement, that was a matter to be dealt with by the Government. It was not for the House to meddle with it at all. The whole question was a very large one, and the honorable gentleman ought to be satisfied with bringing it before the House, and thus showing his constituents that he had a great regard for their interests.

Mr. McLEAN hoped the honorable gentleman would, for his own sake, withdraw the resolution. If his proposal were that the Government should allow the contractor to open a certain portion of the line himself, and carry this freight, there

would be no objection; but to any other course he did not think the Government would be wise to commit itself. This was the celebrated Tapanui contract, entered into so hurriedly by the honorable member for Port Chalmers, and which was to do such grand things for the colony, but the result of which was shown by this resolution. The contract was let on exceptional terms. The contractor was given a period of two years to construct the line, and no payment was to be made for it until the whole work had been completed. And yet the honorable gentleman now proposed to break that contract, and give the contractor further exceptionally favourable terms. It was a most monstrous proposition. In such a hurry was the honorable member for Port Chalmers to accept that contract that he believed the tender was put in at twelve o'clock, in Dunedin, one day, and the extraordinary course was taken of telegraphing it at once to Wellington, and it was accepted either that afternoon or the next morning. Let the law take its course, and, if the contractor was not prepared to go on with his contract, let him be compelled to do so or hand it over to the Government. He did not know what reason the honorable gentleman had for saying that the contractor had been hindered in his work through the action of a certain financial institution. He did not know where the honorable gentleman got his information from—possibly from the contractor; and, if so, it must be remembered that there were two sides to every question. He was bound to say that, if any financial institution had been interested in the matter, it would have kept faith with the contractor. However, he could not speak from any personal knowledge on this subject, as this was the first he had ever heard of it. If this land were now forced into the market, it must result in very great loss. There were no land sales going on just now, because there was no money in the country to lay out in the purchase of land; and until this monetary depression ceased it would be most unwise to press any land into the market. He quite sympathized with the grievance the settlers in this district laboured under through the proceeds of the land sales there having been taken away from them, and their never even getting a road made. However, that had nothing to do with this contract. If the honorable gentleman wanted the Government to compel this contractor to carry out his contract, he ought to withdraw his resolution, and leave the matter in the hands of the Government. He had no doubt they would allow the contractor to open a portion of the line and work it at his own risk; but the House should not interfere in these matters. The contractor had got very good terms for the construction of this line, and he should be compelled to carry out his contract. If the resolution were pressed to a division he would be compelled to vote against it, although very unwillingly.

Mr. PYKE did not understand what the honorable member for Waikouaiti meant when he said that the mover of this resolution asked the Government to break the contract for the advantage of the contractor. He was perfectly certain the honorable member for Waikaiti wished

for nothing of the kind, and the resolution would have no such effect if carried out in the spirit in which it was put upon the Order Paper. As far as he understood the matter it was this: This contract was of a peculiar nature. It was to be paid for when the whole work was completed. The work had been gone on with to a certain extent, and, as usual, there it stopped. That he believed to be a feature which characterized many contracts entered into by the General Government. The duty of the Government was plain: and when he said "the Government" he used the word in its continuous sense, for the Government never died. That duty was, to enforce the terms of the contract. If the contractor would not finish his work he presumed there were conditions which would compel him either to go on with it, or hand it over to the Government at great loss to himself, in order that they might proceed with it. It was a pitiable and miserable thing to see the interests of the country bandied about between the Government and contractors. Simply because a fight arose between parties, the interests of the country were being out to shreds like a piece of paper between the two blades of a pair of scissors. It was a pitiable thing to see a matter of so much importance to a large portion of the community treated as a party question. He was not going to treat it in that spirit. This was a work which the House three years ago affirmed to be of essential importance. It might be said that some precipitancy was shown by the Government in accepting the contract; but the contract had been accepted and the work gone on with. And, now, what the Government was asked to do—and, if the resolution did not mean that, he would not support it—was to put the contract into force, and compel the contractor to go on, or to abandon the work at his own loss. This was only a short line of about ten or twelve miles between Waipahi and Pomahaka, a great portion of which, he believed, was already formed; but the Government chose to allow the contractor to fold his hands and do nothing, while the best interests of the country were suffering because they would not enforce the terms of the contract. He said to the Government, Enforce the conditions of this contract, no matter how hard they may be. It was time contractors should know that if they entered into contracts with the Government those contracts would be enforced with as much stringency as if they had been entered into with private individuals. These contractors had fattened and batted on the weakness of successive Governments, and the time had come when they should be taught that there was to be a change in that state of things, and that the terms of their contracts would be enforced. That was his understanding of the resolution, and therefore he would support it.

Mr. RICHARDSON did not at all understand the resolution in that way. His understanding of it was, that it specifically asked the Government to break the terms of the contract. When the matter first came before the House the contract specified that the whole of the line was to be completed before any portion was handed over or any payment made to the contractor. Now,

Mr. Pyke

he took it that this resolution was brought forward with a view to enable these unfortunate settlers who expected to get a road, and did not get it, to be able to use a portion of the line before the date at which the contract said the line was to be completed.

Mr. IRELAND.—No. The time for the completion is May.

Mr. RICHARDSON.—If the meaning of the resolution was, that the line was not to be used until completed in May, there was not much use in debating the question further, as no doubt the Government would enforce the contract. But what he understood was that, as the line was nearly completed, it might be opened in a very short space of time, and the people wanted the Government to take steps to have it opened. That would put the Government in a false position. He took it, the contractor would very much like to get hold of some of the money; and the resolution would enable the Government to make easy terms with him, so as to get hold of a portion of the line in a short time. Of course he (Mr. Richardson) had never approved of this contract, and thought the Government should be exceedingly careful of the way in which they touched the terms of it; otherwise the country might be put to a serious loss. If he was to understand that the mover only wanted the terms of the contract carried out, the matter would be very much simplified, and the Government need only compel the contractor to carry out those terms. He only trusted that the bringing-forward of this resolution, and the result of this contract, would have the effect of stopping any future action in the same direction by any Government that might be in power.

Mr. MURRAY would like to know if the honorable gentleman proposed to withdraw the motion. If so, he would not move an amendment.

Mr. IRELAND would have to hear some far better reasons than he had yet heard before he consented to withdraw his resolution.

Mr. MURRAY said this was a product of the slipshod arrangements of certain honorable gentlemen; and on a former occasion it was pointed out that almost identical results would follow with those they now had before them. It was pointed out by the honorable member for Christchurch City (Mr. Richardson) and others at the time that this would be the consequence of the peculiar arrangement entered into without the authority of the House. They were now asked, at the nominal request of certain settlers, to open a section of a railway. He knew that in another case—the Auckland-Mercer line—the contractors got the settlers to agitate to have the line taken over before it was fairly finished. They had the same thing here. These settlers were probably induced by the contractor to get up this petition, asking the House to force the Government to depart from the terms of the contract. It was most unfair to other contractors that this specially-privileged individual should be allowed certain terms for making the railway, and then, when he was not able to carry out those conditions, that they should be

asked to excuse him from carrying out his contract. He would move, as an amendment, That the resolution should read as follows: "That the Government be requested to enforce the terms of the contract, so as to have the branch railway line from Waipahi to Pomahaka Bridge opened for traffic with the least possible delay." If it was desired to allow the contractor to escape from the consequences of his contract, honorable members would vote against the amendment; but, if it was the desire of the House to meet the wishes of those settlers who were deprived of the means of carrying their produce to market, they would support his amendment. That would not form the injurious precedent of breaking a contract. They should avoid tampering with any contract, considering the large business transactions in which the Government were engaged.

Mr. GIBBS seconded the amendment *pro forma*. He had always taken considerable interest in what was called the Tapanui job. One reason was, because of the rumours that had been going about as to the peculiarity of the contract and job, as it was termed. Another reason was a more personal one, or, rather, one more immediately affecting his constituents. At the time this resolution was passed affirming the principle of making this reserve for the railway, there was another resolution passed in favour of a similar work in his district, for which the late Minister for Public Works kindly voted. This Tapanui Railway, he heard, was nearly approaching completion; but, as to the settlers' produce being hermetically sealed though want of roads, the Government could not take that question in hand in the Tapanui District without taking a wider range, and looking to other parts of the country which were also hermetically sealed. It was a serious question for the Government to take over such a work as this and say they were prepared to complete the work of the contractors. If they were prepared to do that, as the honorable member for New Plymouth said, other honorable members would be able to afford the Government plenty of opportunities, by resolutions of the same character for every part of the country which they represented. Perhaps the honorable member would inform the House what was the character of the penalties attached to the non-performance of this contract.

Mr. OLIVER said that, with the exception of the terms of payment, the contract was in the usual form.

Mr. IRELAND would accept the amendment of the honorable member for Bruce. Not knowing exactly the position in which the Government were placed in regard to penalties, he had thought it would be better to leave it to themselves to arrange the terms. His own feelings were altogether in favour either of insisting upon the Government taking the work in hand or else compelling the contractors to finish it. He was sorry to see that a feeling of jealousy had crept into this matter. The honorable member for New Plymouth said there were other districts in a worse position than Tapanui. But if they saw a man drowning, ought they refuse to save him because there were several others in a simi-

lar position? That also answered the objection of the honorable member for Collingwood. He would accept the amendment, and hoped the motion would be carried. He was induced to take this course from a rumour—it might be well founded or not—that the contractors in question were rather fond of what was commonly called "pointing."

Colonel TRIMBLE hoped that the motion and amendment would be withdrawn. The Government assured the honorable member that the work would be pushed forward as fast as circumstances would permit. The contractor, he understood, was not in a position at present to carry on the contract; and therefore to enforce the penalty clauses would be a mere waste of energy. He did not think the Government should be hampered by a resolution of the House. This might easily degenerate into a party matter; and he did not think they wanted to get into a party struggle on a question of this kind. He thought the honorable gentleman would obtain more by withdrawing the motion altogether.

Mr. STEWART intended at first to oppose the resolution of the honorable member for Waikato, simply for the reason that it might hamper the Government in dealing with the contractor. It was not desirable that the House should commit itself to any instructions to the Government upon questions of detail which might have to be decided in negotiating terms with the contractors. However, after the explanation given by one or two members of the House regarding the interpretation to be placed upon this resolution—namely, that it was merely intended as an indication of the wish of the House that the Government should see that the terms of the contract were fairly carried out—he had made up his mind to support the resolution. The amendment of the honorable member for Bruce went somewhat too far, as it might be giving instructions to the Government to do what they themselves might feel to be an injustice. It was very well known that, although penalties were provided for in contracts, exceptional circumstances might arise which would render it inequitable to enforce those penalties by adhering to a hard-and-fast rule. Therefore he would not be disposed to give such specific instructions to the Government as to say that they were under no circumstances to allow the contractor further delay, and that they were to enforce the penalties. That might prevent the contractor from getting any remuneration whatever. The amendment, if acted on, might operate unjustly, and it would be better to exercise discretion—which no doubt would be exercised fairly—in dealing with the contractor, in determining whether or not he was to blame for not carrying out the terms agreed to. A great deal had been said about the terms of the contract. He was not acquainted with the details, but he believed the contractor would now much rather have had nothing to do with the contract. Instead of "having" the Government, it seemed that he had been "had" by the Government. Judging of the matter from results, he did not think any unwise arrangement was made at the time the Govern-

ment entered into this contract. He was not in a position to say what motives prompted the entering into the contract, but, looking at it merely as a business transaction, the contractor had had slightly the worse of it. For these reasons he would vote against the motion in its amended form, and allow the Government to exercise its discretion in doing what was best in the interest of the country.

Mr. MACANDREW said the subject of the Tapanui Railway had been discussed over and over again in previous sessions, until it had been worn threadbare. He would not follow the remarks made by the honorable member for Waikouaiti. They could not get a better example of the wretched party feeling which existed, and which was evinced to the detriment of the real interests of the country. He did not know anything more legitimate than the whole of the business connected with that railway; and yet it had been the subject of abuse, and misrepresentation, and much party feeling. What was the state of the case now? Many hundreds of people had been making cultivations for the last few years on the strength of being able to get their produce to market. It would have been in the power of the Government to meet their wishes within the next two months; but suddenly the old party feeling, as represented by the honorable member for Waikouaiti, interfered, and the thing apparently was not to be done. The amendment of the honorable member for Bruce asked the Government to enforce the terms of the contract. Very well; let them do so. That would mean that the settlers could not have the benefit of the railway until the middle of next year—until June or July, 1880. Of course the terms of the contract would be enforced in any case. What the House was asked to do was to recommend the Government to make provision for enabling people to have the advantage of the railway up to Pomahaka Bridge in time for the next harvest. That was surely a reasonable request. He hoped the House would not be deterred from putting on record its expression of opinion simply on account of the dog-in-the-manger arguments brought forward by the honorable member for New Plymouth, the honorable member for Collingwood, and other honorable members. He thought the contract entered into was a first-rate arrangement for the colony, and he only wished they had got fifty contracts let on similar terms. At the time the contract was let the arrangement was a very advantageous one for the colony. He believed the time was coming when they would find they would not be able to make railways on any other terms. The railways would be left unmade unless they could make them on similar terms. This railway was to be made out of the proceeds of the sale of lands, the value of which would be greatly enhanced by the construction of the railway. The railway was to be made on a time contract, so as to enable the land to be brought into the market. From his own personal knowledge he could say that, had it not been for the failure of a certain monetary institution to carry out its engagements, the railway would have been completed months within the contract time.

Mr. Stewart

Mr. McLEAN.—Who told you?

Mr. MACANDREW said it was not likely he would state who had told him. He had it on the best authority, and, if necessary, could prove it. Indeed, he was rather astonished at the contractor not having taken action to enforce an equitable engagement which had been entered into. He hoped the honorable member for Waikaiti would not consent to the amendment, but would press the motion, and let the country see what was the feeling of the House in regard to the question. Objections were raised, and party arguments used, because one of the contractors was alleged to be a friend of his (Mr. Macandrew's): indeed, it had been said that they were partners. He hoped the House would insist upon carrying the resolution, and would study the interest of the country rather than be influenced by mere party considerations.

Mr. McLEAN said that, if the motion had been brought forward by any honorable member on the Government side of the House, he would have taken up exactly the same position. A contract had been entered into, and it ought to be completed. He was just as anxious to get this railway opened as was the honorable member. He had taken the right way to get it opened, and the honorable member had taken the wrong way. If they took the matter out of the hands of the Government, it would only cause delay in the opening of the railway. He was prepared to leave the matter in the hands of the Government to deal with it as judiciously as they could. So far as he was concerned, they might make arrangements that portions of the line could be opened, so long as they did not meddle with or injure the contract, or render themselves liable in any way. They knew the man they had to deal with. They knew that in every contract he had had he had been a trouble to every Government.

Mr. MACANDREW.—No.

Mr. McLEAN.—The honorable gentleman knew that as well as he did.

Mr. MACANDREW.—No.

Mr. McLEAN.—They knew that, with regard to the Southland Western Railway, enormous sums had to be paid as compensation. They knew that there was a contract in his (Mr. McLean's) own district on which a number of men had been employed ever since it was taken over. He could name a number of other contracts in the same condition. The honorable member for Port Chalmers had stated that this Tapanui Railway contract was a fair contract. He knew the kindly feeling which existed between that honorable gentleman and the contractor, but he would say nothing further with regard to that. The honorable member for Waikaiti would be consulting his own interest and the interest of his constituents if he withdrew his motion. He might say that a large number of his (Mr. McLean's) own friends would like to see the line opened, and he was himself anxious, for the sake of those people, to see this railway opened; but he would not like the Government to give the contractors any opportunity of saying that this House had interfered with them. He thought it was a most unfair statement of the honorable member

for Port Chalmers to make to the House, that he knew of his own knowledge that there had been a breach of contract with the contractor on the part of a monetary institution. He (Mr. McLean) had never heard of it before. It was unfair to take the word of the contractor, because there were always two sides to a question. It was unfair to make that statement, because no doubt the other party would be able to give a good excuse for any action that was taken. He (Mr. McLean) would have been well pleased to have seen the contract proceeded with on the terms entered into. It was only right, in regard to the contractor, that the terms of his contract should be strictly enforced. Either that should be done, or the honorable member for Waikaiti should withdraw his resolution, and allow the Government to deal as best they could with the contract, in the interest of the country and in the interest of the contractor. He was quite willing to leave it in their hands; but, if the resolution was to be put, he should insist upon the amendment being put also. He had no party feeling whatever in the matter. He could not support anything brought forward which he did not believe to be right in itself. If he believed a thing to be right he would support it, whether brought forward by the honorable member for Port Chalmers or by any other honorable member.

Mr. MACANDREW wished to make a personal explanation, in justice to a man who was unable to defend himself. With regard to this contractor, he had the assurance of Mr. Carruthers, and of every engineer in charge of the works of the General Government, that he was one of the most satisfactory contractors they ever had anything to do with. That was invariably the character he had received of the contractor in question from Mr. Carruthers and his successors.

Mr. SHRIMSKI said the honorable member for Waikouaiti had complained of this contractor not having satisfactorily completed the contract for the main trunk line. Who was to blame for that? It was during the time the honorable member for Waikouaiti was a member of the Government that the contract was given to this contractor. If the works were badly constructed the Government engineers were to blame, and not the contractor.

Mr. McLEAN said the contract was taken over long after he had ceased to be a member of the Government.

Mr. SHRIMSKI said, if the work was badly constructed, the Public Works Department was to blame, and not the contractor. With reference to the Cromwell Bridge, if the engineers made wrong plans and specifications, the contractor should not be held responsible for any accident. Such arguments as had been used had only been brought up to heap insult upon the honorable member for Port Chalmers, without any reason.

Mr. OLIVER said the contract had been entered into by the honorable member for Port Chalmers when Minister for Public Works. The terms of the contract obliged the contractor to finish the line completely and hand it over to the Government upon a certain date. The resolution

of the honorable member for Waikaiti requested the Government to accept a portion of the contract and open a part of the line for traffic while the other part was incomplete. The amendment of the honorable member for Bruce called upon the Government to strictly enforce the terms of the contract. Both of these would have a contrary effect to that which the honorable member for Waikaiti desired. His desire, no doubt, was to enable his constituents to bring their produce to market. If the honorable gentleman would only adopt his (Mr. Oliver's) suggestion and withdraw the motion altogether, leaving it to the Government, if they found themselves in possession of funds for the purpose, to deal with this difficulty, he would possibly arrive at the object he desired. If, on the other hand, the House affirmed the proposition as it stood—namely, that the terms of the contract should be rigidly adhered to—then he was of opinion, as at present advised, that nothing would result except loss to the country and loss to the contractors. The contract, in that case, would be hung up for an indefinite period. He hoped, under these circumstances, the honorable gentleman would withdraw his motion.

Mr. LONDON said, if the honorable gentleman pressed his motion to a division, he would vote with him entirely on account of the name of the Ould Country. However, he thought the Minister for Public Works had offered very good advice, and that it would be wise for the honorable gentleman to withdraw the motion.

Mr. IRELAND, after the expression of opinion on the part of the Minister for Public Works, would ask leave to withdraw his motion.

Motion, by leave, withdrawn.

W. TE KEHA.

Major TE WHEORO, in moving the motion standing in his name, said the petition referred to was presented to the House in the year 1878. There was now fresh evidence obtainable, and he was anxious that the petition should be referred back to the Committee.

Motion made, and question proposed, "That the petition of Wirihana te Keha and others, reported upon by the Native Affairs Committee in 1878, be referred back to the said Committee for reconsideration, inasmuch as fresh evidence can now be obtained affecting it."—(*Major Te Wheoro.*)

Mr. BRYCE thought the honorable gentleman ought to have given some little information as to what the petition was about, and what was the nature of the report brought up relating to it. As the honorable gentleman had not done that, he (Mr. Bryce) would read the report of the Native Affairs Committee, which was as follows:—

"The petitioners allege that they have never been disloyal to the Queen, but, on the contrary, assisted the European forces in the Waikato war, on the distinct understanding that their property would be protected. They state that their losses were inquired into, and compensation awarded, which has never been paid; and they pray for relief.

"I am directed to report that the question of the granting of compensation for losses suffered by individuals, whether Europeans or of the Native race, during the war, has been so often reported on by Select Committees and considered by the House, that the Committee do not deem it necessary to enter into the subject at any length. The Committee do, however, hold an opinion that many of these claims are founded on justice. The Committee would add that they have no reason to doubt the correctness of the allegation made by the petitioners that they have been always loyal to the Queen."

Honorable members would perceive that this formed part of a very large subject, which he had occasion to allude to the other day when replying to a question of the honorable member for Newton—namely, whether injuries inflicted upon Natives during the war should be compensated by the colony. At one time that duty was recognized, and compensation was awarded in many cases. But in 1867 a Committee of the House reported on the subject, and laid down a rule that compensation should not be granted in future except in cases where the injury was inflicted through the direct orders of the officer in command of the forces. That resolution was never formally adopted by the House, but it had been acted upon by successive Governments. In some cases these losses had actually been inquired into and awards made, and those awards were, as it were, superseded by the report of the Committee of 1867 and the action which successive Governments had taken upon that report. It seemed to him that no amount of evidence which could be produced in respect to this particular case would alter the general bearing of the question. However, if the Native Affairs Committee had any desire to reconsider this petition, he did not see that there would be any objection to their doing so. He had himself always recognized that many of these claims were founded upon justice, and that it was the duty of the colony to consider these, just the same as at Home it was the duty of boroughs to consider the question of compensation in cases of riots; but it was a duty which the House, by accepting the report of the Committee of 1867, had tacitly refused to acknowledge. The whole question, he thought, ought to be raised and decided; and, until the general question was decided, he did not see that any amount of evidence in regard to this particular case could alter the decision which the Native Affairs Committee had already arrived at.

Major TE WHEORO asked the Native Minister to what officer he referred whose orders it was necessary to prove had been given.

Mr. BRYCE said the officer in charge of Her Majesty's forces in the particular district for the time being.

Major TE WHEORO said that was why he asked that this petition might be referred back to the Committee, because it was the General himself who ordered the destruction of property which had taken place.

Motion agreed to.

Mr. Bryce

W. WILKINSON.

Mr. SPEIGHT, before moving the motion standing in his name, would ask leave to amend it by substituting, for the words "Public Petitions Committee," the words "Telegraph Committee." He was informed, by the honorable gentleman who was Chairman of the Special Wire Committee of last session, that that Committee had already had this case under its consideration, and would be prepared to deal with it again this session; and, as the Public Petitions Committee would probably not be able to dispose of it during the present session, it would be more satisfactory to all concerned if the matter were again referred to the Telegraph Committee. He asked the leave of the House to make the alteration he had indicated.

Mr. SEDDON thought the honorable gentleman had not given sufficient reasons for the proposed amendment of his motion. He would oppose this case being sent to the Telegraph Committee. The Public Petitions Committee had so far discharged its duties with satisfaction to the House, and he failed to see why this slight should be put upon them. As a member of the Committee, he resented that slight, and would ask the House to insist upon the motion being adopted as it stood.

Mr. SPEIGHT, in that case, would move the motion in its present form, although he thought it would be better to refer the matter to a Committee specially appointed to consider such subjects.

Motion made, and question proposed, "That the petition of William Wilkinson, newspaper proprietor, reported upon on 7th August last by the Special Wire Committee, and ordered to be referred to a Select Committee to be appointed this session, be dealt with by the Public Petitions Committee of this House."—(Mr. Speight.)

Mr. HALL moved, as an amendment, That the words "Telegraph Committee" be substituted for the words "Public Petitions Committee." The petition had already been referred to the Special Wire Committee last session, who had not time to complete their labours, and recommended that another Committee should be appointed this session to go further into the subject. Another Committee had been appointed, and it was now proposed to carry out the recommendation of last session by referring the petition to it.

Mr. MONTGOMERY said that, if the Committee appointed to inquire into the whole of the arrangements connected with the special wire was still sitting, he would like to mention that he had in his possession a petition, signed by Messrs. Wilsons, Horton, Reeves, and Fenwick, which had not been presented to the House on account of an informality. The petitioners alleged that accusations had been made against them in various places as to their having obtained from the Government certain concessions which were not in the public interest, and they wished to have an opportunity of proving that those accusations were unfounded. If the Committee were still sitting, these gentlemen should be allowed to give evidence in order to put themselves right.

Amendment agreed to, and motion, as amended, agreed to.

QUESTIONS.

Mr. DE LAUTOUR, in moving the motion standing in his name, said it was in the interest of every member to pass it, and particularly of the Government. It referred to a habit which had grown up during several years—a habit which was becoming a great burden to the public officers without giving satisfaction to the House, and one that ought to be put a stop to.

Motion made, and question proposed, "That the habit which has sprung up during the present session of asking for the production of returns and correspondence, in the shape of asking questions, should in future be disallowed; inasmuch as the control of public documents is taken out of the hands of this House, and publicity is given at the joint will of any Minister and one member to matters the publication of which this House, if it had the opportunity, might not approve of."—(*Mr. De Lauteur.*)

Mr. HALL did not think the House should pass such a resolution without further consideration. It seemed to him that the latter part of the motion was incorrect, because the habit, whether desirable or undesirable, did not take the control of public documents out of the hands of the House. Of course, it was open to any Minister to lay any document on the table by command of the Governor, or he might do so by the leave of the House. Then, with regard to the habit that had grown up of asking questions, it was possible that this habit, like a great many others, was becoming subject to considerable abuse. It was a gross abuse, he considered, for members to continually ask the Government to disclose their policy bit by bit and item by item. But he did not think a resolution of this character, which was really an alteration of a Standing Order, should be passed without full consideration. What would be the result if it were passed? Did it amount to a revision of the Standing Orders? Was it anything which rendered it incumbent upon Mr. Speaker to prevent these questions being put on the Order Paper? Because, if so, he thought the House was hardly prepared to go that length. He would suggest that the whole question should be referred to the Standing Orders Committee, to consider whether the right to ask questions should be limited, and, if so, in what way. He would move, as an amendment, That the motion should be altered to read in this way: "That it be an instruction to the Standing Orders Committee to report on the habit which has sprung up of asking for the production of returns and correspondence in the shape of asking questions."

Mr. GISBORNE suggested the further addition of the words "and upon the precedence of notices of motion and Orders of the day." He moved this addition because it was unfair that notices of motion given early in the session, as in the case of that of the honorable member for Hokitika (Mr. Reid), who had an important notice on the Paper, should still be found at the bottom of the list, while other honorable members could get all

the information they wanted to get by asking a question.

Amendments agreed to, and motion, as amended, agreed to.

RATING BILL.

Mr. PITT, in moving the second reading of this Bill, said that, under "The Rating Act, 1876," in certain cases when judgment was recovered by local bodies for the non-payment of rates, those bodies had power to sell land by public auction to obtain funds to satisfy the rates. It had been found in many cases that the exercise of this power was oppressive, and the object of the present Bill was to give the local bodies power, instead of selling the land, to lease for a period not exceeding fourteen years, the rents to be applied, after payment of costs, to paying the rates in arrear. Letting was to be by public auction, and the lessee would of course be liable for all rates becoming due during the currency of the lease. He thought this was a principle which would commend itself to honorable members, because a man who was absent from the colony, and did not leave an agent behind him, might be summoned for rates, and a very valuable piece of his land sold for a comparatively trifling amount to satisfy those rates, without his knowing anything about it. That would be avoided by the present Bill, because after the payment of the rates, and on the expiration of the lease, the land would revert to the original owner. Of course his land would be saddled with the lease entered into during his absence, but that was no more than was fair where a man went away without leaving an agent behind him to look after his property. He would be happy to incorporate in the Bill the clauses which the honorable member for Hokitika (Mr. Seddon) had proposed to introduce in the shape of a separate Bill.

Mr. SEDDON had great pleasure in supporting the second reading of this Bill, as it was shown by practice in carrying out the present Rating Act that it was very desirable local bodies should have power to lease lands if they chose, in lieu of selling them, to satisfy unpaid rates. Lands could not now be sold for two years after the rates became due, and that was certainly a very long time for the land to lie dead to the owner and to the Borough Council. It was proposed to remedy that. The amendments he intended to propose were, first of all, to repeal subsection (2) of clause 37 of the Act of 1876. That subsection prohibited the rating by a local body of any lands held under lease for gold-mining purposes. He proposed to exempt lands held under a miner's right or water-race license, but not those held on lease for speculative purposes under the Mining Act, which at present, if not being worked, did not contribute in any way to the local revenue. His next proposed amendment was to clause 48. That clause provided,—

"A demand for any rate due must be made in writing under the hand of any collector or other person duly appointed by the local body to collect rates, and delivered to the person liable, either personally, or by leaving the same at his last

known abode or place of business, or on the premises in respect of which such rate is due."

In many districts, and particularly in that which he had the honor to represent, where people were constantly moving about, there was great difficulty in putting the Act into operation. At a conference of the various local bodies it was suggested that posting the notice should be sufficient, as an alternative to leaving it at the last place of abode of the person rated; and the amendment he proposed would be simply to make proof of posting the notice by the collector sufficient. His next amendment was to clause 53. The time allowed by that clause between the rate becoming due and the lapsing of power to recover was too short. The clause provided,—

"Any rate or part thereof due by an occupier, and unpaid for three months after demand, may be recovered from the owner, if demanded from him within four months after the same has become due."

That only left a month. The occupier was entitled to three months. Then they could make a demand upon the owner, and if the owner were not sued within six months he could not be sued at all. On the West Coast they felt this to be a great grievance. What he proposed was to extend the time within which demand might be made from four months to six, and also to increase the time within which the owner might be sued from six months to twelve. This, he believed, the House would have no objection to, and at the same time it would be a very great convenience to the local bodies, and would also prevent them from losing the remedy which it was quite clear the Legislature intended to provide.

Mr. HALL thought the principle of the Bill was a good one; but he would ask the honorable gentleman to explain the meaning of subsection (2), under which land was to be let by auction. It read as if the land was not to be let for annual rental, but for a lump sum. He would also suggest, for the honorable member's consideration, whether the term of fourteen years was not unnecessarily long. In very few cases would it be necessary to let a piece of land for fourteen years in order to recover arrears of rent. They should not put it in the power of local bodies to tie up land for a day longer than was necessary.

Mr. HAMLIN disagreed with this Bill. One of the great evils under which the colony had been suffering for a long time was that persons purchased land and kept it lying useless until their neighbours made it of value. This measure would be a dead-letter as far as Road Boards and County Councils were concerned, although it might suit Municipalities very well. People who left the country for a few years had hitherto taken care to leave agents, who were authorized to pay rates on their properties; whereas if they passed this Bill they would relieve absentees of this difficulty, because they would be careless of what happened, believing that the Act would be a dead-letter. Where was the man who would take up a lease for seven or fourteen years of land in its natural state? Nobody would give anything for such land. This Bill, if it were passed,

Mr. Seddon

must remain a dead-letter, and he would vote against it.

Mr. TOLE did not think the honorable member for Franklin understood the real purport of the Bill. It was not compulsory that the section referred to should be brought into force. It simply meant that there should be an alternative proposal for the one now in existence; so that the land might be sold, or, if the local body thought proper, might be leased. He thought that was very fair. His experience of land in this position was, that as soon as notice was given they found a good many owners turned up. The Road Boards should have the alternative power to lease land. It would have been well if the Government had brought in an amending Act with reference to rating, embodying all the amendments suggested by the various local bodies. It would perhaps be better to refer this Bill to some Committee, and embody in it the various amendments which he was sure many members of the House would like to suggest.

Bill read a second time.

NATIVE RESERVES VESTING BILL.

ADJOURNED DEBATE.

Mr. SHEEHAN thought the best course would be to read this Bill a second time, and then refer it to the Native Affairs Committee.

Mr. TAINUI moved, That, the Bill be read a second time that day six months. They should not be in a hurry to pass the Bill this session. The Native tribes did not know the contents of this Bill.

Mr. GISBORNE hoped the honorable member would allow the Bill to be referred to the Native Affairs Committee, which would allow the Natives to express an opinion much better than postponing the second reading for six months.

Mr. KELLY could not comprehend what good would result from passing this Bill, because it simply vested a power, which was now in the hands of the Ministry, in the hands of the Public Trustee. He did not think that was a proposal which the House would support. What the House required was, not to deal with the special reserves included in "The Native Lands Act, 1856," but to give a more general power of dealing with Native reserves of all descriptions. In the Act of 1856 power was given to the Governor to deal with two classes of reserves—first, reserves made over lands where the Native title had been extinguished; and, secondly, reserves on lands over which the Native title had not been extinguished; but the last only came under the Act with the consent of the Natives. Those lands could only be administered by the Commissioners. But there were large reserves outside those two classes which this Bill did not touch at all; and those reserves required the attention of the Government and of the House much more than the reserves dealt with in this Bill. As far as the reserves under this Bill were concerned, he did not know that there was any occasion to change the administration, and to take the power out of the hands of the Government for the purpose of placing it in the hands of a Government officer.

If anything went wrong with the administration now, they had the Ministry to deal with, to whom the House could refer. If they took the matter out of the hands of the Ministry, and placed it in the hands of a trustee, he would be totally irresponsible to this House. He altogether failed to see the necessity for this Bill. Somebody had stated that reserves on the West Coast had been dealt with by one of the Commissioners in a one-sided manner. The Act gave no power to any one Commissioner to deal with reserves without the concurrence of the Government. He would oppose the second reading of the Bill. The whole question should be dealt with by the Government, and a general and comprehensive measure brought down next session for dealing with the Native reserves of all classes.

Mr. McLEAN thought the best thing the House could do would be to kill the Bill at once. He saw no reason for taking up time by sending it to the Native Affairs Committee. Seeing that the Bill was opposed by the Maori members, they should not press it forward to a second reading. He was perfectly sure that if they passed this Bill they would create a department of such a size as they little anticipated. The department would make work for itself; and the sooner they put an end to that sort of thing the better. The question was one that should be dealt with in a comprehensive way, and not in a Bill of two or three clauses. The dealing with these reserves would involve the policy of the Government—would involve the question of peace or war. He did not think the House would consent to the passing of a Bill which would confer such powers upon a public officer over whom the House would have no control. He hoped the honorable gentleman in charge of the Bill would withdraw it.

Mr. TAWHAI wished to make a few remarks on this Bill, as it affected the Natives. If some of the Native lands were already in the hands of Commissioners, why should not this Bill be passed? If there was a great amount of land held under Commissioners, then they could consider this Bill at once. In those cases there were no Maoris amongst the trustees. Under this Bill the Maoris might possibly be admitted into the trust. He thought the reason some objected to this Bill was that the money would be spent on behalf of the Natives. He should like to see this Bill referred to the Native Affairs Committee, because it affected the Natives. They could then look into the Bill and consider it thoroughly. He thought, if there was any chance of the Natives being allowed in the trust, it would do very well.

Mr. TOMOANA did not agree with the honorable member who had just sat down, that numbers of Natives should be included in this trust.

Mr. TAWHAI had merely said that possibly the Natives might be included in the trust; he did not say that they would be.

Mr. TOMOANA wished to say he did not thoroughly understand the contents of the Bill. He should like the Natives of the whole colony to thoroughly understand what was meant by "Native reserves"—that the particular reserves to which the Bill applied should be specified. He agreed with the honorable member for the

Southern Maori District that the Bill should be read this day six months, so that the Natives of the whole colony might have an opportunity of looking into the Bill and considering it. He could not quite understand the suggestion that it should be referred to the Native Affairs Committee. The Natives should see the Bill first, and when they had given their ideas respecting it the Maori members would be able to say distinctly what should be done. He thoroughly agreed with the motion of the honorable member for the Southern Maori District, that the Bill be read a second time this day six months.

Mr. BRYCE said, if the only object in moving that this Bill be read a second time was that it should go before the Native Affairs Committee, so that they might understand the purport of the Bill, he thought that was quite an unnecessary object, because the purport of the Bill appeared very clearly upon the face of it. It was simply to transfer the power at present possessed by the Governor or his delegates to the Public Trustee. That appeared to be the simple object of the Bill; and the Native members, he presumed, could understand that as distinctly at the present moment as they could after the consideration by the Native Affairs Committee. He must say he felt disappointed at the course which the honorable member for the Thames (Mr. Sheehan) had adopted in regard to this Bill. It was brought on for second reading a few nights ago, and honorable members would remember that reasons were given both for the passing of the Bill and why it should not pass. He (Mr. Bryce) had stated certain reasons why it should not pass, which it was unnecessary to repeat. The honorable gentleman moved the adjournment of the debate in order that the matter might be more fully considered, especially by the Native members. He thought the honorable gentleman would to-night have given reasons why the Bill should be read a second time; instead of which the honorable member merely stated that it would be desirable the Bill should be read a second time in order that it might go before the Native Affairs Committee. It seemed to him (Mr. Bryce) that that was altogether an insufficient reason why the Bill should be read a second time. The honorable gentleman who introduced the Bill did indeed say that one object for which the Bill was framed or introduced was, that it would relieve the Native Department from a considerable amount of work in reference to these reserves. He (Mr. Bryce) pointed out at the time, and would now repeat, that it would not do that; that, in fact, it would do the very opposite, because under the present arrangement the Commissioners to whom had been delegated the powers of the Governor had a considerable amount of special knowledge, and many of these reserves were in an uncertain position. The Commissioners had an amount of knowledge which the Public Trustee would not have; they could deal with these matters without that constant reference to the Native Department which the Public Trustee would be bound to make if he had the management of these reserves. The amount of work that would be thrown upon the Native Depart-

ment in consequence of the proposed change would be increased instead of being diminished. He had also pointed out the other night that under the present law it was in the power of the Governor to transfer his powers in respect to many of these reserves to a Public Trustee. Therefore he thought this Bill was unnecessary at present. He had admitted, and would now admit, that the principle was a good one, and that these reserves would in the end have to be dealt with as other trusts were dealt with—by public trustees, at any rate not by special Commissioners practically under the control of the Native Department. But before that was given effect to—before that desirable state of affairs was arrived at—he thought these Native reserves would have to be put in a much more satisfactory condition than they were in at present. The special knowledge which the Commissioner of these reserves had at present would be found very useful in simplifying matters, so that ultimately they might be handed over to the Public Trustee. He saw no reason for passing this Bill merely for the purpose of referring it to the Native Affairs Committee. He had great respect for that Committee, having been Chairman of it for many years, but he did not think the deliberations of that Committee would have any good effect in the present case. The purport of the Bill was very simple. It was merely to hand over the functions of the Governor or his delegate to the Public Trustee; and its principle could be apprehended by the Native members in a moment as well as if it had been referred to the Native Affairs Committee. Moreover, a good deal of time had passed since the matter was formerly before the House, and no doubt it had been thought over by the Native members and discussed with them. It was his opinion that they were as able now to understand the intentions of the Bill as they ever would be. Therefore they might as well deal with the Bill now. He had no objection to the second reading, but he thought it would be a great convenience, as far as the public business was concerned, if the honorable gentleman would not press it further during the present session. If the honorable gentleman would say that, he should be prepared to vote for the second reading of the Bill. He admitted that its principle would ultimately have to prevail, but in the meantime there were reasons why it should not be passed.

Mr. PITT hoped the Native Minister would not vote for the second reading of this Bill. A Bill of this character, if introduced at all, ought to be introduced by the Government. It was a remarkable thing that since the Bill had been introduced not a single member had spoken in favour of it except the honorable gentleman who introduced it. It was supposed to be for the benefit of the Native race; and yet every Native member who had spoken had spoken against it. It was a most remarkable measure. For instance, it said that "From and after the first day of January, one thousand eight hundred and eighty, all the powers and authorities which, by 'The Natives Reserves Act, 1856,' or any Acts amending the same, may be exercised by the Governor, shall vest in and may be exercised by the Public

Mr. Bryce

Trustee." The honorable member for the Eastern Maori District (Mr. Tomoana) certainly hit the weak point of the Bill when he asked what reserves the Bill referred to. He (Mr. Pitt) thought it referred to the same reserves which the Native Reserves Act of 1856 applied to; and those were reserves which were set apart for the benefit of the Natives—not reserves which had been granted to the Natives in any way. Now, what was proposed to be done by the Bill? To substitute the Public Trustee for certain Commissioners who had a thorough knowledge of all these reserves, and of the manner in which they had been dealt with ever since they had been in existence. And what would be the result? In the one case, the Commissioners were responsible to the House; in the other, the Public Trustee would be an utterly irresponsible officer. The Bill would give powers to an official who was totally unacquainted with Native affairs, and the result would be prejudicial instead of beneficial to the Natives. The honorable member for Totara said that the past administration of these reserves had been unsatisfactory, not only generally, but with regard to the Greymouth reserves. The best answer to that statement was, that no complaint had ever been heard from the Natives: in fact, the Commissioner intrusted with the management of the reserves at Greymouth had managed matters so impartially that there was no complaint from either side—either from the Natives or from the lessees. His own opinion was, that the Bill was introduced merely for the purpose of magnifying the office of the Public Trustee, who would suddenly find his duties so onerous that he would require an increase of salary. He hoped the Bill would be read a second time that day six months.

Sir G. GREY said he should feel sorry if the Bill were not read a second time. The Native Minister had correctly stated that the Bill itself, or the principles involved in it, must become law ultimately; and the sooner it became law the better. The honorable gentleman, in arguing against the Bill, proved its absolute necessity. His observations were to this effect: that at the present time the reserves were administered by a Commissioner in the Middle Island and by a Commissioner in Wellington; that their disposal rested in the hands of these gentlemen; that they possessed great knowledge in regard to these reserves; that no other person was equally conversant with the matter, and that in their minds was locked up all information connected with it.

Mr. BRYCE.—The honorable gentleman is correct to a certain extent, but I did not imply that all the information was locked up in their minds.

Sir G. GREY.—Of course, if those gentlemen possessed all the information, and they died, all knowledge would perish with them; but under the Bill the Public Trustee would have associated with him a Board of Advice. He might say the Bill was prepared by a skilful lawyer, a gentleman thoroughly conversant with the law, who said that it would meet all the circumstances of the case. He (Sir G. Grey) thought these lands should at once pass into the hands of the

Public Trustee, and that the officers employed by him should be the existing Commissioners, so that the knowledge which they possessed should pass by degrees into the possession of a permanent Board. He was sure that was the proper course to take. It should be remembered that under the present law the Natives were not in the same position as their European fellow-subjects: their property was at the absolute disposal of one man, who did not sit in open Court, for a period of twenty-one years. The effect of the Bill was to abolish all distinctions between Natives and Europeans, as far as what might be called trust lands went. That alone would be a great advantage, and he was confident that, if the course he suggested were pursued, it would relieve the Native Office of a great deal of trouble. He would go a great deal further. His opinion was, that it would relieve the Government of a great deal of solicitation—a kind of solicitation to which the Government ought not to be subjected, and from which they should be kept free. He felt that this would be a great boon to the Government and to the public, as well as to the Natives, inasmuch as it would prevent pressure being brought against the Government to get advantages with regard to these reserves, and would free the Government from an onerous and unpleasant duty. He also thought the Governor should not have anything to do with questions of this kind. He ought to be kept perfectly clear of them. Such questions should be settled by the usual public functionaries of the country, and by the Courts whenever the Public Trustee chose to apply to them. It would not injure the Commissioners to be employed under the Board of Trustees, which he thought could be made part of the Bill. Another great advantage would be, that at least one Native could be at once placed on the Board to advise the Public Trustee. Thus the Natives would be gradually initiated into the management of property themselves; and, as these reserves would ultimately become very valuable, that was a matter which should be thought of. One difficulty prevailing at the present time with regard to the Natives was, that many of them were very anxious to get Crown grants made directly to themselves for these reserves, without any consideration of the interest of their heirs or other persons contingently interested. Pursuing their own interests, and desiring to derive advantage to themselves, they were too anxious to obtain Crown grants with which they could deal as they liked. He was not quite sure that the issue of Crown grants to them would be advantageous to themselves; and he was perfectly certain it would be very disadvantageous to other persons having a contingent interest in the property, and to the European tenants. He believed their interests would be altogether overlooked, and the lands they held would pass into the hands of other persons, who often acquired them by very unfair means, and by bringing influence on the Natives which could not be brought to bear on the Public Trustee. He therefore hoped the House would allow the Bill to be read a second time. For himself, he would be satisfied with having done his best to bring about

an important reform at once, and with certainty to open the way to a reform which must be made sooner or later. He was sure, when it was made, those people who made it would regard it as a great pity that the Bill which he brought forward was not adopted at the moment it was first laid before the House.

Mr. ROLLESTON said there appeared to be some misapprehension in the honorable member's mind as to the necessity for this Bill. There was already on the Statute Book a measure—"The Native Reserves Act, 1873"—which made provision for the very thing the honorable gentleman contemplated. That Act provided for the constitution of a Board of Commissioners. It was true it provided for the appointment of one Native Commissioner; but the distinct object of the Act was to create a trust in connection with the Commission which should represent the Natives, and at the same time be a check upon what the honorable gentleman had alluded to—namely, a hasty change of trust and alienation of the land by the Natives. That Act had never yet been brought into force; and it seemed to him that it would be exceedingly unwise to pass a crude measure, as the one before the House undoubtedly was, until the question of bringing the existing Act into force had been considered. As pointed out by the Native Minister, this Bill gave no more power than the Act under which the Governor could delegate the powers of the Commission to any person whom he might choose, and consequently to the Public Trustees. The Act of 1873 was passed after very careful consideration of these Native reserves. He thought it would be exceedingly advantageous in respect to the reserves that two Natives should be associated with the Native Commissioner, as was provided for in the Act of 1873. He would also like to say a few words with regard to the Native reserves on the west coast of the Middle Island, as he had had a good deal to say to the making of them. The administration of those lands passed through his hands when he was Under Secretary to the Native Department, years ago. Mr. Mackay was sent down when the gold-diggings broke out, in 1865 and 1866, to lay out these lands and to place people on them. It was in consequence of that having been very properly done that the Town of Greymouth now lay on so much of the Native reserves, and that the Natives were receiving such large revenues from them. It was true that a number of sections had since changed hands; but the agent who was sent down to arrange the matter very wisely and properly gave the tenants notice that they would be dealt with fairly on the expiration of their leases. No good purpose would be served by dealing harshly with these tenants, and any person could understand the position taken up by the Commissioner, who was acting with the consent of the Government of the day. No steps could be taken by the Commissioner in the way of alienation of the lands, by lease or otherwise, for more than a few years, without the consent of the Crown. The whole action of the Commissioner had had the check of the Executive Government from the beginning up to the present time; and he

might say, with some knowledge of the case, that the whole matter had been exceedingly well managed, and he had every reason to believe that the Natives had on the whole been satisfied. It would be a great mistake, at the present time, to change the trust in such a way as to interfere with the continuity of action that had been maintained with respect to these reserves. He hoped the Bill would not be read a second time, because it would not be advisable hurriedly to pass a measure which was a practical condemnation of the action taken with regard to these reserves, and that without any good result, and without proper consideration of the law now available, if the Governor chose to exercise his power under it.

Mr. GIBBS said that there was a paper on the table which bore upon what the honorable gentleman said with respect to the management of these reserves being really under the control of the Government. He alluded to a paragraph in a telegram sent by the Commissioner appointed to inquire into the West Coast reserves, which showed the misconception which existed in regard to the Native Commissioner's powers. Speaking of that gentleman, the telegram said that he had had for several years, and now had, despotic power of dealing with these reserves, and disposing of them with or without public auction as he chose. This was very misleading to any member reading it, as the Commissioner was responsible to the Government, and could do nothing except under their approval. He thought no good would result from passing the Bill.

Sir G. GREY, as a personal explanation, might say that the Act of 1873, and all other Acts relating to the same subject, had been carefully considered, and it was deemed by a very high legal authority that on the whole the present measure was necessary.

Major TE WHEORO wished to know what lands would come under this Bill. He was not clear which they were. That was why he agreed with the honorable member for the Southern Maori District and the honorable member for the Eastern Maori District that this Bill should be well thought over and carefully looked into before it was passed. He would like to have it thoroughly explained to him what lands would come under this Bill, and what lands would remain under "The Native Reserves Act, 1873," as before. When he heard the honorable members for the Southern Maori District and the Eastern Maori District speak, he thought that perhaps it would be better to leave it as they said, because there might be large blocks of land in their districts that they were not clear about—whether they came under this Bill or not. For his own part, he was not quite clear which would be the best—whether to leave it under the Commissioners, as at present, or to give it to the persons proposed in this Bill. That was why he was not going to say much about the Bill. He would leave it as the two other honorable members had expressed it.

Amendment agreed to, and Bill ordered to be read a second time that day six months.

Mr. Rolleston

LAND TRANSFER BILL.

This Bill was further considered in Committee. Mr. HISLOP moved, That the Chairman do leave the chair.

Question put, "That I do now leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	32
Noes	...	...	...	...	27
					—
Majority for	...	...	...	...	5

AYES.

Mr. Allwright,	Mr. Seddon,
Mr. Andrews,	Mr. Sheehan,
Mr. Ballance,	Mr. Shephard,
Mr. Barron,	Mr. Shrimski,
Mr. De Lautour,	Mr. Speight,
Mr. J. B. Fisher,	Mr. Swanson,
Mr. J. T. Fisher,	Mr. Tainui,
Sir G. Grey,	Mr. Tawhai,
Mr. Hamlin,	Major Te Wheoro,
Mr. Ireland,	Mr. Tole,
Mr. Kelly,	Mr. Turnbull,
Mr. London,	Dr. Wallis,
Mr. Macandrew,	Mr. Wright.
Mr. Montgomery,	
Mr. Moss,	<i>Tellers.</i>
Mr. Reeves,	Mr. George,
Mr. Reid,	Mr. Hislop.

NOES.

Mr. Bain,	Mr. Pitt,
Mr. Bryce,	Mr. Pyke,
Mr. Bunny,	Mr. Richardson,
Captain Colbeck,	Mr. Rolleston,
Mr. Dick,	Mr. Saunders,
Mr. Gibbs,	Mr. Stevens,
Mr. Gisborne,	Mr. Sutton,
Mr. Hall,	Mr. Tomoana,
Mr. Hutchison,	Colonel Trimble,
Mr. Levin,	Mr. Wakefield,
Mr. Masters,	Major Willis.
Mr. McLean,	<i>Tellers.</i>
Mr. Murray,	Mr. Brandon,
Mr. Oliver,	Mr. Stewart.

The motion was consequently agreed to, and the CHAIRMAN left the chair.

DISTRICT COURTS BILL.

The House went into Committee on this Bill. New clause.—Offences cognizable by District Courts.

Question put, "That the clause be added to the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	23
					—
Majority for	...	...	...	...	3

AYES.

Major Atkinson,	Mr. Rolleston,
Mr. Bain,	Mr. Saunders,
Mr. Bunny,	Mr. Shephard,
Captain Colbeck,	Mr. Stevens,
Mr. Gibbs,	Mr. Sutton,

Mr. Gisborne,
Mr. Hall,
Mr. Hutchison,
Mr. Masters,
Mr. McLean,
Mr. Murray,
Mr. Oliver,
Mr. O'Rorke,
Mr. Pyke,

Colonel Trimble,
Mr. Wakefield,
Major Willis,
Mr. Reader Wood,
Mr. Wright.

Tellers.

Mr. Hursthouse,
Mr. Pitt.

NOES.

Mr. Ballance,
Mr. Barron,
Mr. Dick,
Mr. J. T. Fisher,
Mr. Ireland,
Mr. Kelly,
Mr. Landon,
Mr. Macandrew,
Mr. Moss,
Mr. Reid,
Mr. Seddon,
Mr. Sheehan,

Mr. Shrimski,
Mr. Stewart,
Mr. Swanson,
Mr. Tainui,
Mr. Tawhai,
Major Te Wheoro,
Mr. Thomson,
Mr. Tole,
Mr. Tomoana.
Tellers.
Mr. De Lautour,
Mr. Speight.

PAIRS.

For.

Mr. Bowen,
Mr. Driver,
Mr. Fulton,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Moorhouse,
Mr. Ormond,
Mr. Richmond,
Captain Russell,
Mr. Studholme,
Mr. Whitaker,
Mr. Whyte.

Against.

Mr. Hialop,
Mr. Turnbull,
Mr. Ireland,
Mr. Finn,
Mr. Reeves,
Mr. McDonald,
Mr. Allwright,
Mr. George,
Mr. Brown,
Mr. Andrews,
Mr. Sheehan,
Major Harris.

The clause was consequently added to the Bill.

Progress was reported, and leave given to sit again.

MINERS' RIGHTS FEES REDUCTION BILL.

MR. PYKE, in moving the second reading of this Bill, said he thought the time had arrived when the Legislature should relieve the mining industry from some of the burdens which oppressed it. The miners had had no relief from these burdens for the last twelve years, except a reduction of 6d. per ounce in the gold duty. He knew, living as he did in the midst of the miners in the Middle Island, that these reductions must come gradually. If he followed the instincts which prompted him, he would ask that the charge for the miner's right should be reduced to 1s., and that it should be held merely as a document showing that the holder was entitled to occupy a specified piece of ground; but he was willing to make the reduction so moderate and reasonable that the local bodies would not regard it as a grievance. The total sum derived from miners' rights did not amount to much throughout the colony, and therefore this proposal would not be felt to the same extent as the reduction of the gold duty might be in some particular districts. He would ask the House to remember, in dealing with the question—and he would

especially direct the attention of the Treasurer to this point—that the mining industry was taxed above all other industries in the colony. The miners contributed equally with other sections of the community to the general taxation of the country. Indeed, he might say they contributed more, because their workings were carried on for the most part in remote districts, where the cost of carriage enhanced the price of everything they consumed, and consequently they had to pay more for the necessaries of life than people who lived near the coast. Take away the gold-mining industry, and what would the exports of the country amount to? They would show a sorry figure compared with the present value of exports. There was another industry which was sometimes compared with the gold-mining industry; but really there was no comparison. He referred to wool. Very little money raised from the growth of wool was spent in the colony—the larger portion of it went to foster the inhabitants of other lands; but the money raised from the production of gold was almost entirely spent in the colony. Therefore, as he had often said, one ounce of gold, taking the welfare of the country into consideration, was of greater actual value than a bale of wool. He took it that the amount of wool raised and sent out of the country was of comparatively little value to the people living here, whereas the gold-mining industry had raised New Zealand from an insignificant colony to a colony of the first importance in the British Empire. Yet they went on oppressing it, loading it so much with burdens that it could scarcely feel its way along. There was not one single thing the miner could do, not one step he could take, but he had to put his hand into his pocket and pay for it. He had to pay for his miner's right; he had to pay the gold duty; if he wanted protection he had to pay for it, if he wanted a certificate for a water-race he had to pay for it, if he wanted a claim he had to pay for it. In every direction he took he was so hampered by prohibitive taxation that an intelligent foreigner visiting the country would be led to suppose that the object of the Legislature was to prevent mining being carried on in the colony at all. And what did he get in return for all this? Positively nothing. Some time ago a School of Mines was proposed to be established; but he did not know what had become of it. A professor—Professor Ulrich—was engaged to superintend it; but, except an erratic visit to some of the mining districts from that gentleman or one of his assistants, nothing had been done. For twelve years the gold-mining industry had been systematically neglected. It had been treated as one of those things which were not worthy of consideration. He did not say that this had been done intentionally, but it had been done uniformly by all Governments; and he knew at the same time that a few thousands properly expended would add greatly to the prosperity of the gold-miner and necessarily to the prosperity of the colony. The gold-miner had a right to complain. He had to pay taxes which no other class in the community had to pay, and he was treated almost with contumely when he came to that House and

asked that he should be relieved from the unfair taxation under which he laboured. Since the first discovery of gold in 1862 up to the present time he believed that this contemned, despised, vagabond miner had contributed something like a million and three-quarters to the revenue of the colony: that was equal to a small loan; and he had had nothing whatever in return for it. This being the case, he hoped no opposition would be raised to the very small instalment of justice for which he asked. It would not cripple their local institutions: the Government, he hoped, would do him the credit of believing that he had the local-government system at heart, and would be one of the last to cripple or injure it; but, so far from crippling it, it would absolutely aid and benefit the county system, because it would increase the population in every county where gold-miners lived and carried on their work. He knew there was an argument used that the miner got a great deal in return for the miner's right, and amongst other things the electoral franchise. But he did not know whether the honorable member for Hokitika (Mr. Seddon) was aware of the fact that the Electoral Bill took away that franchise entirely. Therefore that plea could no longer be urged as a reason why the miner should pay £1 for a miner's right. As to the specific amount of the reduction, he would leave that to be determined when the Bill went into Committee. He had suggested in the Bill that the amount should be 10s. instead of £1. That was a fair proposal, but he was quite willing to accept any modification the House might think fit to adopt. He would not weary the House with any further argument on the matter. In fact it seemed superfluous to urge any argument why these burdens should be taken off or reduced—why the half-crown should not be a shilling, and why the shilling should not be sixpence—so as to leave this industry quite unfettered. If they were free-traders they should take off the bonds which shackled this industry, and if they were protectionists they should give a bonus on the gold produced. However, he would content himself by asking for the instalment of justice which this Bill proposed to give, and he would move that it be now read a second time.

Mr. SEDDON supported the second reading. There was only one thing left unsaid which required to be said in order to induce the House to come to a wise conclusion upon this subject. He had no doubt the Colonial Treasurer would tell the House that the passing of this measure would strike at the foundation of the financial position of the counties, and that, if the reduction were made, the counties would not be able to carry on. He could assure the House that no revenue would be lost if the Bill at once became law. If honorable members looked at the statistics, they would find that there were a great many miners who did not take out a miner's right, the reason being that they could not afford it; and he felt satisfied that, if the charge were reduced to 10s., many more rights would be taken out, and the revenue in the aggregate would be the same as it was at present; and that argument, he thought, was a strong one in favour of this reduction. He

Mr. Pyke

might say that, at a conference held by various County Councils not long ago, these same arguments were used, and that by lowering the fees more would be taken out. The miners would be relieved, and the County Councils would get the same revenue as they now derived. It was just the same with a man in business: if the consumption were greater and the profits proportionately less than they would be upon a smaller consumption, he would suffer no loss, because the increased consumption would make up for it. As there was a good deal of business to be done that night, he would say no more on the subject except that he heartily supported the proposition, and hoped the House would carry the second reading of the Bill.

Mr. REEVES would also support the second reading of the Bill. He differed from the honorable member for Hokitika (Mr. Seddon), who said that the number of rights would be increased. He (Mr. Reeves) did not believe they would be. This would amount to the taking-away of a certain amount of revenue from the local bodies. At the same time, as a matter of right and justice he would support the reduction. As he said before, he considered that the miners were exceptionally taxed, and they ought to reduce the fees to the very lowest amount possible.

Mr. STEWART intended to oppose the reduction. There was evidently a desire on the part of those honorable members who represented gold-fields constituencies to advocate this particular class of reduction—he had no doubt, so as to stand well with their constituents. It was singular, at all events, that three Gold Fields members should get up and repeat practically the same remarks, obviously with the same object. If the House were attempting to increase the taxation he admitted it would be quite a legitimate thing for them to stand up and resist that; but why they should try to get a fair fee reduced by one-half he could not understand. The House had this session declared that the duty on gold should be reduced 6d. an ounce. That, he thought, was quite a sufficient concession during the present session of Parliament. They were told by the honorable member for Hokitika (Mr. Seddon) that, if this reduction took place, a number of miners' rights equal to those who now held rights would be taken out; but it did not appear to him (Mr. Stewart) that an equal number would be taken out for the mere purpose of holding them. The honorable member for Grey Valley (Mr. Reeves) did not believe that the number of miners' rights would be increased. This reduction meant that next year they would have a measure brought in entirely abolishing the charge made for miners' rights. Considering the present financial state of the country, and the prospects they had, it seemed to him that, instead of taking off legitimate charges, they ought to increase them. He did not say that this particular charge should be increased from £1 to something else, but he did not think it was at all reasonable that it should be reduced by one-half. He would therefore oppose the second reading, on the ground that the proposed reduction was unnecessary.

Mr. GEORGE said there was one objection to reducing miners' rights. He did not think it would be advisable to reduce them in any part of the colony, unless they could be reduced in all parts of the colony. In the Thames District the miners' rights fees were payable to the Natives. If the miners' rights were reduced, say, to 10s., then there would be a necessity for the Colonial Treasurer to make up the deficiency that would arise in that district, so as to keep faith with the Natives; and, unless the Colonial Treasurer could see his way to do that, he (Mr. George) could not see that it would be right to make the proposed reduction.

Mr. GIBBS said the honorable member for Dunedin City (Mr. Stewart) had told the House that the members for the Gold Fields had been guided in this matter by an endeavour to stand well with their constituents. He (Mr. Gibbs) would not be guided by any such feeling, because the action he should take would not improve him with his constituents, for the simple reason that the smallest portion of his constituents were gold-miners. At the same time, he thought there should be some relief given to that section of the community, which had been exceptionally taxed, more highly, at any rate, than any other section of the community. But, if he voted for the second reading of this Bill, it would not be with the intention of supporting the reduction in both the gold duty and miners' rights. That some relief should be given to the miners was entirely fair, but he did not think they could expect an entire freedom from taxation, any more than any other section of the community. If he thought it expedient to vote for the second reading of this Bill, it would be on the understanding that he would watch the course of proceedings with respect to the reduction of the gold duty as bearing on this question also. He did not intend to support both measures of reduction, in order to exempt the miners entirely, especially as these items of revenue were local revenue, and it became a serious question with gold-fields communities as to whether they would have the means for carrying out necessary works. Whilst advocating a certain amount of relief, he would vote for the reduction which he thought most desirable.

Major ATKINSON said it was necessary the Government should express some opinion on this matter. Of course it was his duty to direct the attention of the House to what would probably follow, should the House pass this measure and another Bill which they would have under discussion very shortly. The case would stand thus: The House having made this local revenue, the local bodies were relying upon it to do the necessary local public works. The House, without any consultation with those bodies, took upon itself to reduce their revenue to a very considerable extent; and it seemed to him that it would follow, as a matter of course, that the honorable gentlemen who represented gold-fields districts, and were now moving for this reduction, would—not as representing the miners, but the local bodies—come and tell them, in a few days, that they must have further assistance from the consolidated

revenue in aid of their local revenue, because the House, without consulting the local bodies, thought fit to reduce this local revenue. He did not see how the House could possibly escape from that dilemma, if they allowed this reduction to take place. No doubt he must admit that a strong case had been, to a certain extent, made out in favour of some reduction, and therefore to that extent the Government were placed in a very awkward position. He submitted that the House should be very careful in reducing local revenues without first obtaining the sanction of the local bodies. Certainly, if the House did this, it would be taking upon itself a grave responsibility; and he was unable to see how they would resist the logical conclusion that they must make up the difference that might be caused by this reduction. Therefore he hoped the House would pause before committing itself to an act of this description. The proposal should first of all come from the locally-constituted bodies. They were continually talking about the necessity of encouraging local institutions, and not interfering with them, and yet the honorable gentlemen who introduced this proposal were always coming up and asking the House to interfere with what had been for some years past a local matter. Having warned the House of this, it certainly became the duty of the Government not to give this Bill any support. He wished he could see his way to relieving the miners to some extent in this matter; but there was very great difficulty in doing it. He could not at all admit the view expressed by the honorable member for Dunstan as to the miners. The honorable member described them as reviled, contemned, and despised miners. Such an idea as that was a pure invention of the honorable gentleman's fertile brain. It was well known to those who knew anything about miners—and there were a good many honorable members in that House who did—that a better class of colonists did not exist in the colony, and the House had invariably recognized that fact, and had even gone out of its way to give them special privileges. Therefore he hoped the House would not be accused of taking that view of the miners of the colony which was expressed by the honorable member for Dunstan. As the honorable gentleman had put it in that shape, he felt still more diffidence, as it were, in resisting this Bill; but, for the reasons he had given, he thought it would be a very dangerous thing, looking at it from a monetary point of view, for the House to assent to this Bill and also to the other Bill which was coming down for the reduction of the gold duty. The revenues of the local bodies would be so much reduced that they would be unable to bear it, and the deficiency would have to be made up in some away.

Mr. SPEIGHT thought, as the Colonial Treasurer had mixed up this Bill with the Gold Duties Abolition Bill, honorable members were entitled to speak on both measures together. What the honorable gentleman had just said about the high character of the miners was quite correct; but, notwithstanding that, the statement of the honorable member for Dunstan was also quite correct—that they were a despised race of

people in this colony. He appealed confidently for support in that assertion not only to those persons who knew the miners themselves, but to the laws which the Legislature had passed with regard to the miners, and which were of the most oppressive kind. So oppressive were they that they might be placed on a par with those which had been passed in regard to Native matters. In all sober seriousness he said to the Treasurer that, if he desired to maintain the revenues of these local bodies by these exceptional taxes, his sympathy was entirely in the wrong direction. It would be far better to give those bodies the subsidies which they did not now get, and which they could not get as long as the gold duty existed. If the Treasurer had any real sympathy for them, he would subsidize the money raised by gold duty and otherwise in the district, and then the cry for the abolition of the duty in the district would at once cease. But it was the fact that the bargain originally made—that the gold duty should be subsidized—was not carried out, that made the miners demand that the duty should be reduced or repealed. They knew that as soon as the duty was gone they would receive subsidies, but not till then. He trusted, notwithstanding what the honorable member for Rodney said, that the House would bear in mind that the Thames District suffered far greater injustice than any other mining district, for the simple reason that the miners there had the Native difficulty to contend with, and had to pay £1 to the Natives—in addition to the £1 they had to pay to the Government for a license—for the land they covered. Thus this industry was taxed in a way that the Legislature would not dare to tax any other industry, because other industries could make themselves heard in the House, and would have the exceptional tax taken away. He hoped that, whatever result might come now, the Treasurer, and all future Governments, would learn that, if they meant to continue this exceptional taxation in the shape of gold duty and miners' rights, they would have to recognize that such taxes were rates and must be subsidized as such.

Mr. HURSTHOUSE said the honorable gentleman who last spoke evidently did not thoroughly understand what he was talking about. When he spoke about rating mining property, he must have meant only permanent mining property, such as at the Thames. But what about alluvial gold fields? He (Mr. Hursthouse) had had considerable experience of such fields. He was a practical miner and had worked upon them himself, and he knew many instances where property on alluvial fields, which was worth ten thousand pounds to-day, would not be worth ten thousand pence a few weeks afterwards. How was such property to be rated? The question had been argued over and over again in the House, and it had always been found impossible to rate such property. He did not admit that the miner was exceptionally taxed. He had worked as a miner himself, not only in this colony, but in other colonies, and had never objected to pay for his miner's right, because he considered he got a special privilege under it. He had also always been willing to pay the gold duty, for he looked

upon it that there could be no fairer tax. He considered that every man who owned an ounce of gold was in a position to contribute to the administration of justice, the formation of roads, and other things necessary on gold fields. He was satisfied that this cry for the reduction of the gold duty and the miners' rights did not arise from the true miner, but from the mining companies, to whom the reduction of the duty would be a great advantage. He was sure that a great number of the miners were perfectly willing to pay both. If, however, it was decided to reduce the miner's right, the plan might be adopted which was adopted in New South Wales, of issuing them for half the year at half the fee. When honorable members talked about exceptional taxation they should remember that the miner had not to pay any road rates or house taxes.

Mr. SPEIGHT.—They have to pay house taxes.

Mr. HURSTHOUSE.—A great many miners did not live in houses. They lived in tents, as a rule. Miners might live in houses on the old-established diggings, but on alluvial diggings they lived in tents for the first year or two, at all events. He did not consider they were exceptionally taxed. The colony was called upon continually to expend large sums of money in making roads, water-races, and various other works in order to provide facilities for working gold; and, whilst he admitted that miners were a very intelligent class, he could not acknowledge that they were exceptionally taxed. If the gold duty and miners' rights fees were reduced, he was sure the districts would, in a very short time, come to the House and clamour for subsidies to enable them to construct their roads and other public works.

Mr. SHEEHAN thought his honorable friend must have worked in the same claim with Rip Van Winkle when he spoke of miners living in tents and not in houses. If there were any of those miners who lived in tents left in the colony they must surely come from that place so well described by the author of "Rip Van Winkle"—Sleepy Hollow; and they, no doubt, could not pay rates. He could assure the honorable gentleman that, outside that part of the country, miners had abandoned tents, and lived in good houses. In fact, in the Thames District the miners had very comfortable houses, surrounded with gardens and plantations: so that, on the score of their not paying rates, the honorable gentleman's argument against the reduction of taxation fell to the ground. He would suggest to the honorable gentleman in charge of the Bill to reply as briefly as possible, as there had already been a long debate on the reduction of the gold duty. He would himself support the second reading, and then the Bill would be referred to the Gold Fields Committee, when many things connected with it could be discussed by members practically acquainted with the matter. He did not pretend to say that he would support the whole of the Bill as it stood at present. He thought there were many provisions in it which would not suit his district, and it would probably be better that it should be made permissive in regard to the

Mr. Speight

Thames Gold Field, where a great deal of the money raised in this way had to be paid to the Natives, and did not go to the local bodies at all.

Mr. REID favoured the reduction of the gold-miner's right from 20s. to 10s., and was rather surprised at the remarks made by the honorable member for Motueka on the subject. That honorable gentleman informed the House that this cry for reduction was not *bona fide* on the part of the miners, but came from mining companies. He (Mr. Reid) lived in a large mining centre for many years, and found that it was the general cry amongst the people there, but not amongst the County Councils and Borough Councils. It was the cry in such places as Dillman's Town, Kumara, and Stafford Town. He might say that not very long ago a meeting was held in Dillman's Town in a hall about half the size of that chamber. Fully a thousand miners attended, so that it was not possible to find room for them, and he was obliged to go outside in order to address them. One of the first questions put to him there was, whether he was in favour of the reduction both of the gold duty and of the miner's right; and had he not been he would not have received one-fourteenth part of the votes on that occasion. He could say, after an experience of twenty years on gold fields, that it was the wish of the miners that the gold duty and the fees for miners' rights should be reduced. It was not so with the public bodies, because they were afraid of losing revenue, and consequently were now raising a cry against the reduction, and sending telegrams to honorable members begging of them not to vote in favour of it. The feeling of the miners was that they were specially and exceptionally taxed, and he felt certain that the Government would have to face the question sooner or later. Such counties as those on the west coast of the Middle Island had little or no revenue except what they obtained from the gold fields through their miners. The miners paid directly for the maintenance of from one hundred and fifty to two hundred miles of road in the Westland District, and the revenue contributed otherwise was a mere bagatelle. While, on the East Coast and in the North Island, the Government subsidized the rates, the people on the West Coast got little or no subsidies, and every public work there—every bridge, every road—had to be paid for out of the miners' pockets. Certainly this was a special tax, and he was surprised that the honorable member for Motueka, who claimed to be a practical miner, should say that miners were not subjected to special taxation.

Mr. PYKE would briefly correct the errors that one or two honorable gentlemen had fallen into. He should have imagined that the honorable and learned member for Dunedin City (Mr. Stewart) would have known better than to have supposed that this question affected the general revenue of the colony. The honorable gentleman would no doubt be very much astonished when he was told that it did not: the fees were local revenue. It would be far more convenient if honorable gentlemen would confine their remarks to matters they understood. He would be the last to get up

and contradict the honorable and learned gentleman on any legal point, and he trusted the honorable gentleman would not contradict him on a matter on which the honorable gentleman knew no more than the child unborn. What did he mean by saying that this measure was brought forward in order that honorable members might stand well with their constituents? The honorable gentleman had been down amongst his constituents very recently. Did he find that he did not stand well with them? What was the matter with the honorable gentleman? No doubt they all wished to stand well with their constituents. If not, they had no right to be in the House. But, if the honorable member meant that he (Mr. Pyke) and other honorable members who agreed with him brought this Bill forward from a desire to pander to their constituents, and not from a motive of principle, it was an insult which the honorable member had no right to offer in that House. The honorable member for Rodney brought forward the case of the Thames Gold Field. They all knew that there were exceptional circumstances about that gold field, and there was no reason why a clause should not be inserted in Committee to meet such exceptional cases. But he protested against the whole country being sacrificed to the Thames. The Treasurer made a few remarks which were entirely wrong. He said the local bodies were altogether relying on this to carry on works, and that, if they did not get this revenue, they would come down and ask for it in another shape. Now, they were not dependent, in the part of the country he came from, upon this revenue, nor upon the land revenue. They got more from local taxation than from land or gold revenue. If the Treasurer had stated the case properly, how did counties get on where they had no gold revenue? He had not the slightest idea of stealing into the House to ask them to reduce the present taxation with the view of requiring the Government to supplement it from another source. Strong advocate as he was of the county system, if that system could not exist without oppressing a great industry let it perish altogether. The Treasurer told them the miner was not reviled. Why, to mention the word "gold-miner" in the House was like holding up a red rag: all the bulls in the House rushed at it immediately. The honorable gentleman came down with soft-sawder, and said what a good, kind fellow the gold-miner was, and how he loved him. If so, why did he not take the burden off his back, and not allow him to travel along sore-footed and sore-backed? The honorable member for Motueka said this cry came from the large companies. If he knew anything of what he was talking about he would know it could not. The majority of large companies held leases, and they required no miners' rights at all. When the honorable member talked about ratepayers, and miners living in tents, he (Mr. Pyke) began to think that he must be twenty years younger than he was. Tents were unknown on the gold fields, except among Chinamen. Not only had the miners good houses and pleasant gardens, but they had pretty wives and nice children, and lived in as

decent and Christian a fashion as the honorable member for Motueka, or any other honorable member. The honorable member said the miners were not ratepayers. Now, in his county 981 miners' rights were taken out last year, and on the roll every one of the holders of those rights, except 193, appeared as a ratepayer. He would ask honorable gentlemen to remember that in all other gold colonies of the Australian group these burdens had been done away with or reduced to such an extent that they were not felt. New Zealand alone was killing the goose that laid the golden eggs.

Question put, "That the Bill be now read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	23
					—
Majority for	...	...	...	...	6
					—

AYES.

Mr. Andrews,	Mr. Reid,
Mr. Bunny,	Mr. Sheehan,
Mr. De Lantour,	Mr. Shephard,
Mr. J. B. Fisher,	Mr. Speight,
Mr. J. T. Fisher,	Mr. Swanson,
Mr. George,	Mr. Tainui,
Mr. Gibbs,	Mr. Tawhai,
Mr. Gisborne,	Major Te Wheoro,
Mr. Hamlin,	Mr. Thomson,
Mr. Hislop,	Mr. Tole,
Mr. London,	Mr. Tomoana,
Mr. Macandrew,	Mr. Reader Wood.
Mr. Masters,	<i>Tellers.</i>
Mr. Murray,	Mr. Pyke,
Mr. Reeves,	Mr. Seddon.

NOES.

Major Atkinson,	Mr. Rolleston,
Mr. Bain,	Mr. Seymour,
Mr. Barron,	Mr. Stevens,
Mr. Beetham,	Mr. Stewart,
Mr. Dick,	Mr. Sutton,
Mr. Hall,	Colonel Trimble,
Mr. Johnston,	Mr. Wakefield,
Mr. Kelly,	Major Willis,
Mr. McLean,	Mr. Wright.
Mr. Oliver,	<i>Tellers.</i>
Mr. Pitt,	Mr. Hursthouse,
Mr. Richardson,	Mr. Saunders.

The motion was consequently agreed to, and the Bill read a second time.

GOLD DUTIES ABOLITION BILL.

Mr. SEDDON, in moving the second reading of this Bill, said he would not require to say anything more, in addition to the arguments already adduced on this subject. He hoped those honorable members who had voted for the resolution passed on a previous day affirming the principle of this Bill would also vote for the second reading of the Bill. A majority of 39 to 18 had affirmed the principle that the reduction in the gold duty should gradually take place, until the duty was altogether abolished in 1884. He trusted those honorable members would be con-

Mr. Pyke

sistent, and vote for the second reading of the Bill. He might say that there had been strenuous exertions made by various local bodies to prevent this Bill becoming law. He was a member of six local bodies, and Chairman of three. He was a member of the Westland County Council, and, although he knew that the Council derived a large revenue from this source, he told the Council, and he told the electors, that he would move a resolution taking away this source of their revenue, because he considered it to be oppressive. It was a general feeling that the mining companies did not pay their proportionate share of the general revenue. The County Councils would not take off £50 from the salary of a County Chairman, or reduce the expenditure in making roads, often where not required. They would not move one step towards the reduction of their expenses, but kept on spending the money about the towns, instead of spending it in opening up the country for prospecting. Where there were mining companies they generally found macadamized streets in the towns, but if they went a few miles out of the town they had to take a pack-horse and wade in the mud to get to the ordinary miners' claims. The County Councils were trying to influence members of the House to vote against the Bill; but he was prepared to take the whole responsibility upon his own shoulders. He asked the House to pass the Bill as an act of justice. They were not there as the representatives of the County Councils or the Borough Councils, which depended upon this revenue. It appeared that honorable members could not move a single step in giving relief to any person without being interfered with by the local bodies. If that state of things were to be allowed they might as well do away with the House altogether, and simply have a few nominees to divide the money between the local bodies. Honorable members could not make a move in any direction without being deputationized, or receiving telegrams from the local bodies opposing this or that. He need only refer to the Municipal Conference held in Wellington as an illustration of this system of dictating to members of the House as to what course they should pursue, and he was glad to say that in that case the House resented the interference with its functions. He understood that, even since the resolution was passed the other evening, some honorable members who had supported it had been influenced in this manner to oppose the second reading of the Bill. He would reserve any further remarks he had to make until he replied at the close of the discussion.

Major ATKINSON had no doubt that honorable members had made up their minds on the subject, and it was therefore useless to repeat the remarks that had already been made in reference to it. There was a considerable amount of other business to be done, and he would therefore suggest that they should come to a decision at once.

Mr. MACANDREW would vote for the second reading of this Bill on the same principle that he voted for the second reading of the last Bill—namely, that those who raised the money should spend it, and those who spent it should raise it.

The sooner that the County Councils and local bodies had nothing to do with this House in the way of raising revenue the better. He should advocate the abolishing of the miners' rights and the gold duty altogether, seeing that they were now local revenue; but, at the same time, it would be necessary, if they did that, that measures should be passed this session to enable the local bodies to raise revenue for themselves. It would be absolutely necessary to pass such measures. It would be unjust and wrong to deprive the local bodies of these sources of revenue without giving them the power to raise revenues to meet their requirements.

Mr. REEVES did not intend to oppose the second reading of the Bill, but when the Bill advanced a stage further he should oppose it, inasmuch as he was in favour of the total abolition of the gold duty at once. The gradual reduction of 6d. an ounce year after year would be of no benefit to the miners: they should abolish the duty altogether, and have done with it.

Mr. MASTERS said that during a previous debate on this question he endeavoured to prove that, however desirable under other circumstances the abolition of the gold duty might be, it would be unjust to the local bodies to pass such a measure unless the Government were prepared to subsidize those bodies in some other way, or to take over entirely the maintenance of the main roads, and other large public works. Indeed, in any case, he believed the Government would find it necessary to take over the maintenance of the main roads, as there would be no means for the County Councils to do so. It was impossible for these bodies to keep the roads in repair. It was only a few weeks ago that he, and other Gold Fields members, were discussing the desirability of inducing the Government to look at the gold duty as a tax upon the daily labour of the miner, and subsidize it in the same way as other taxation. He now found that honorable members were proposing the abolition of the duty itself. He did not think they ought to go any further until the Government were prepared to subsidize the counties in some other way, to make up for the deficiency in the revenue. Honorable gentlemen having affirmed the principle that the gold duty was an objectionable tax, they should not carry the matter further this session, seeing that almost the very existence of the County Councils depended on the revenue they derived from this source. It appeared to him that the House should rather assist the County Councils in giving them revenue to meet their requirements. They should not take away this revenue from those bodies without providing a fair substitute. He thought the House had no right to deal in any way with this question, except at the express wish or desire of the Councils or local governing bodies themselves. He might say that those bodies were strongly opposed to the passing of this Bill. When it became known that such a Bill was before the House, the greatest alarm was created amongst those local bodies, and honorable members had received numerous telegrams urging upon them to use their influence against the

passing of this measure. He held in his hand a bundle of telegrams he had received from the local governing bodies on the West Coast. They were all to the same purport, and showed that the gold duty formed the principal source of their revenue, which was wholly inadequate to meet their requirements. In consequence of the action taken by the House in this matter, special meetings of some of the Councils had been called; and the Chairman of the Westland County Council had forwarded him a printed statement, from which he would read an extract:—

"It is tolerably clear that, unless some very radical change is made by the Legislature in connection with county finances, so far at least as Westland is concerned, the Westland County Council must shortly suspend, or altogether conclude, its functions, except indeed it is able to discover a way of carrying on work without revenue to perform the work with. For the last year or so it has puzzled many to understand how it was that the Council were in a position to keep fairly alive. The mystery is explained when we find that the Council, during the last twelve months, has been anticipating its future revenue by obtaining large advances from the Government and from its bank, on account of future revenue to accrue. Thus, at this moment, deductions are being made from its monthly receipts to cover advances made by the Government to the amount altogether of £2,000, while a sum of £27,000 is due, outside of this, for advances from the floods vote of 1878; and the counties proportion of the land revenue of Westland is pledged, for years to come, to repay an advance of £1,000 received, and of £2,000 promised after June, 1880, to enable the Council to reconstruct Hungerford's Bridge. The actual ordinary revenue of the Council, prior to the obtaining of these advances, was, as nearly as possible, £12,000 per annum; and, before the formation of the Boroughs of Kumara and Ross, it was little short of £17,000 per annum. The present ordinary revenue (with-taking into account deductions made monthly to repay the advances above mentioned) may be roundly stated as follows:—

	Per annum.
Gold-fields revenue ...	£1,500
Gold duty ...	6,000
Publicans' licenses ...	1,000
Tolls ...	1,400
Rates and dog-tax ...	500
Subsidy ...	900
Total ...	£11,300

This amount, without deduction of any kind, is barely sufficient to maintain the existing roads, tracks, and bridges; to pay the necessary subsidy to hospitals and benevolent society, and ferries; and to keep the requisite staff: and, as new works are required in all directions, a large augmentation of the county revenue was what was wanted and expected. The abolition of the gold duty, at the rate of 6d. per ounce per year, will, however, not only be a bar to the prosecution of any new county work at all, but, unless a substitute of at least an equivalent amount is found, it will simply wipe the Council out of existence. The Council

will be unable to maintain the roads and bridges, will be unable to subsidize the local charities, and must close the large number of ferries on the various southern rivers. For the current revenue, less the gold duty, will be altogether insufficient. Thus, the revenue will be—

	£	instead of	£
In 1880 ...	9,800		11,300
1881 ...	8,800	„	11,300
1882 ...	6,800	„	11,300
1883 ...	5,300	„	11,300

And out of this small income the Council are supposed to perform all the local work and give all the local aid required, in a county 200 miles in length by about 30 miles in width; almost all of it of a rugged and difficult, and exceptional nature; liable to flood, and the sudden sweeping away of the most costly works—and every work almost in Westland is, from the nature of the case, more costly than similar work elsewhere.”

Then there was a proposition to tax mining property. Well, the telegrams he held in his hand showed that mining property was now taxed. Take the case of Reefton. The mining companies paid for leases £1 per acre, equal to £18 per annum each claim. Every house or hut was already taxed by the County Councils, and these telegrams set forth that by taxing machinery the amount realized would be a mere trifle comparatively per annum, while it would be a most expensive tax to collect. As the counties looked upon the gold duty as the main source of revenue, he hoped the House would look the matter fairly in the face, and that honorable members would see it was their duty not to deprive the counties of a tax which was sure, and was easily collected.

Mr. SEDDON did not wish to detain the House long, but felt compelled to reply to the honorable member for Grey Valley (Mr. Masters), and to defend the position he (Mr. Seddon) had taken up. The honorable member professed to read what were the resolutions passed by the County Council of Westland, but in reality he had read a leading article from the *West Coast Times* of the 5th November. The figures put together by the County Clerk and the County Chairman were used in the *West Coast Times*, and now they were being distributed, because, as the Chairman was in Wellington as a deputation from the county, he thought they would be useful in more ways than one. There was every advantage in plain speaking, and he (Mr. Seddon) was not afraid to explain the thing. The proposition made by him in this Bill need result in no difficulty if his other proposal to amend the Rating Act were also accepted. The counties would then get well out of the difficulty.

Mr. REEVES.—No.

Mr. SEDDON said it would not in the least matter what gentlemen like the honorable member for Grey Valley (Mr. Reeves) said. They did not care how long this tax remained upon the individual miner, so long as capital and the capitalists were left alone. Gentlemen like the honorable member came down to that House, talking loudly about the desirability of taxing landed property and capital expended on land; but when it came to a question of taxing mining

property, held under lease, they took up quite a different position. They were quite willing to exempt from taxation machinery, and capital expended on large leases, and which had stopped work for speculative purposes or to freeze certain shareholders out, so long as they could keep on the gold duty. That might be to the interest of the districts they represented; but he (Mr. Seddon) represented a district where the individual miners were largely employed, and where they had to pay 2½ per cent. upon their income, although their wages did not average much over £2 per week. It was unfair to tax these men so heavily. Instead of taxing them, they ought to tax those large companies which took up large quantities of land and held it for speculative purposes. In saying this, he was striking at the root of the evil, and he was sure that, if his amendment of the Rating Act was accepted, there would be plenty of revenue to allow of the miner's right fees being reduced and the gold duty being reduced, and other charges which fell heavily upon the miner; but, instead of that, they found that the honorable member for Grey Valley, in the interests of the large mining companies, came down to the House with Bills like the Companies Act and the Mines Act, under which, where £3,000 had been expended, they were to get three years' protection and other advantages.

Mr. REEVES said the honorable gentleman knew nothing of what he was talking about.

Mr. SEDDON said he knew thoroughly well what he was talking about. He had not worked so long as he had done on the gold fields without knowing something about the subject, and he would be quite willing at any time to meet the honorable gentleman in public and discuss the matter with him from any point of view he chose. The object of the Bill he referred to was to allow capitalists to get leases for next to nothing, and then to give them extraordinary privileges in the shape of protection—if they spent £500 in labour or money, they were to have twelve months' protection; if £3,000, they were to have protection for three years; and if £5,000, then for five years—and to take away from the Warden a power very properly placed in his hands at the present time. Nor was it proper to relieve shareholders from responsibility, as was proposed in that Bill. However, the Gold Fields Committee had to deal with these Bills, and it was therefore very improbable that the honorable gentleman would get his way in regard to them. The whole of the opposition to the measure now before the House had come from the County Councils, which would not attempt to bring about a better state of things while they could get their revenue from the present sources. They cared nothing for justice being done. But, if this were the last year before the return of the new members of County Councils, a great many more people would take up the same position that he did. He would tax property, and not individuals; but, in the present state of the law, very little good in that way could be effected. If the maximum power of rating were increased, the County Councils would soon be in a position to raise sufficient revenue. If the business

Mr. Masters

people and the farmers were rated at 2½ per cent. on their gross earnings, they would not pay any more than the miners paid at present.

Question put, "That the Bill be now read a second time;" upon which a division was called for, with the following result:—

Ayes	...	...	...	26
Noes	...	...	...	27
Majority against	...	...	...	1

AYES.

Mr. Andrews,	Mr. Reid,
Captain Colbeck,	Mr. Sheehan,
Mr. De Lautour,	Mr. Shephard,
Mr. J. B. Fisher,	Mr. Speight,
Mr. J. T. Fisher,	Mr. Swanson,
Mr. George,	Mr. Tainui,
Mr. Gibbs,	Mr. Tawhai,
Mr. Gisborne,	Major Te Wheoro,
Mr. Hamlin,	Mr. Tole,
Mr. Lundon,	Mr. Reader Wood.
Mr. Macandrew,	
Mr. Moss,	<i>Tellers.</i>
Mr. Murray,	Mr. Pyke,
Mr. Reeves,	Mr. Seddon.

NOES.

Major Atkinson,	Mr. Rolleston,
Mr. Bain,	Mr. Saunders,
Mr. Barron,	Mr. Seymour,
Mr. Beetham,	Mr. Stevens,
Mr. Bunny,	Mr. Sutton,
Mr. Dick,	Mr. Thomson,
Mr. Hall,	Mr. Tomoana,
Mr. Johnston,	Colonel Trimble,
Mr. Kelly,	Mr. Wakefield,
Mr. Levin,	Major Willis,
Mr. McLean,	Mr. Wright.
Mr. Oliver,	<i>Tellers.</i>
Mr. Pitt,	Mr. Hursthouse,
Mr. Richardson,	Mr. Masters.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Brown,	Captain Russell.

The motion was consequently negatived.

The House adjourned at thirty-five minutes past twelve o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 13th November, 1879.

First Readings—Second Reading—Third Readings—Personal Explanation.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Building Societies Bill, District Law Societies Bill, Fine Arts Copyright Bill, Wairarapa Race-course Bill, City of Auckland Loans Consolidation Bill.

SECOND READING.

Wellington Provincial District Highway Boards Bill.

THIRD READINGS.

Wellington Provincial District Highway Boards Bill, Administration Bill, District Courts Proceedings Validation Bill.

PERSONAL EXPLANATION.

The Hon. Mr. MANTELL said that before the business was proceeded with he wished to say a few words with regard to his absence on the previous evening; and, with a view to put himself in order, he would move the adjournment of the Council. It was not usual for the absence of a member to be questioned; but he understood that his not being present to move the motion of which he had given notice, with regard to the Oamaru Waterworks Bill, had been commented upon in the Council. He might explain, in the first place, that he was not aware, when he left the Council in the afternoon, that there would be an evening sitting, and did not become aware of the fact until nine o'clock in the evening. Had he known that there would be an evening sitting, he should have considered it his duty to mention that he did not intend to move the motion, which he had merely put on the Order Paper in order to call attention to the absolute necessity for the appointment of this Committee. He was informed that some violent language had been used in regard to his absence; but he was quite sure that, so long as the present Speaker presided in that Chamber, no language would be used to which exception could be taken. But such language might have escaped his notice, and it was quite optional for the honorable gentleman who made use of it to act as he thought proper in the matter. He did not ask for any apology.

The Hon. Sir F. DILLON BELL said it would be useless to pretend that the honorable gentleman was not referring to him; but perhaps he might be wrong. If the honorable gentleman referred to him, he trusted he would do him the courtesy to say so.

The Hon. Mr. MANTELL said he had heard that the honorable gentleman spoke of his absence as an act of gross discourtesy to the Council. He ought to add that, even if he had known there was to be an evening sitting, he should not have been present, because the state of his health would not permit him to be out at night.

The Hon. Sir F. DILLON BELL said that whoever told the honorable gentleman that he had spoken of his absence as gross discourtesy had misled him. The fact was simply this: He thought the act of putting the names of the Hon. Mr. Waterhouse and himself upon the Committee, after they had requested him to remove their names, was an act of gross discourtesy to them, considering all the circumstances. He felt strongly that to put their names on the Committee, and not to withdraw them when requested to do so, and then to be absent when the motion came forward, was certainly discourteous. Since the honorable gentleman had accused him of using violent language towards him, he would ask the honor-

able member to do him the kindness to listen to the reason why he had used that language. It was this: His honorable friend, in the session of 1878, had complained of the course which the Local Bills Committee had taken. That complaint had twice been the subject of discussion in the Council. It was made the subject of a report from the Local Bills Committee to the Council. The Council gave an order about it, directing the Committee to do certain things. And yet this session his honorable friend brought down an accusation against that Committee for continuing to do what they had been directed to do, and of arrogating to themselves functions which he said the Council had never given to them. It was most unjust and most unfair for the honorable gentleman to bring such an accusation now against the Local Bills Committee, when he was perfectly well aware that it was on his own complaint in 1878 that the proceedings were taken to which he (Sir F. Dillon Bell) had referred. Then, while finding fault with the course the Committee had taken, and choosing to propose another course to be taken with respect to local Bills, he took upon himself to place his (Sir F. Dillon Bell's) name on the Committee, and to force him to do in another way what he had been doing under the previous directions of the Council. He went over to the honorable gentleman and told him it was not usual to put members' names on a Committee without their consent, and asked him to withdraw his name. Although he had made that request, the honorable gentleman still maintained his name on the Committee, and the appointment of the Committee was moved with his name still included. He had since learned the resolution was moved by his honorable and learned friend Mr. Wilson without any authority from the honorable gentleman opposite. Was he right?

The Hon. Mr. WILSON.—Oh, yes. I said so.

The Hon. Sir F. DILLON BELL said that, if he had heard the honorable gentleman say so, he should not have accused his honorable friend (the Hon. Mr. Mantell) of gross discourtesy; but he would have accused his honorable and learned friend instead. It was not right for an honorable member, unauthorized, to take upon himself the proposal of an offensive motion about which there had been a great deal of personal feeling, and after an honorable member had twice offered his apology, if he had trenched upon the limits of propriety, or had said anything to wound the feelings of any honorable member of the Council. He hoped the honorable gentleman opposite (Mr. Mantell) would accept his apology if he considered that he had been guilty of using violent language, or language capable of such an interpretation. It was always his desire to observe a courteous regard for the feelings of honorable members, and he would be very sorry indeed to use language that would bear a different interpretation. But when, after doing what the Council authorized and enjoined him to do, he found himself accused of acting against the wish of the Council, and heard that sentiment cheered, he would not quietly submit to it. He trusted the Council would allow him to say, since the matter had been brought up, that he held

Hon. Sir F. Dillon Bell

that to be unfair play. He felt very strongly on this matter, and did not deny that he felt strongly upon it. He also felt very strongly the course which the honorable gentleman had taken. If he had not gone to the honorable gentleman, and asked him to withdraw his name, the honorable gentleman might have been justified in proposing it; but he was not justified in allowing it to remain after being requested to withdraw it. It was not at all agreeable to any honorable member who was doing his best to carry out the directions of the Council, to be hauled over the coals for doing it; to hear sentiments against him cheered by honorable members; and, besides this, to be forced to do work in a way he did not think right, or in accordance with the Council's own directions. No man should make him do that.

The Hon. Mr. MANTELL desired to say a few words.

The Hon. the SPEAKER said he would proceed to put the question, That the House do now adjourn. It was quite right he should state to the Council that it was a privilege in the hands of honorable members to move the adjournment of the House at any time, but it was a privilege that had to be very carefully exercised.

The Hon. Mr. WATERHOUSE inquired whether, on a motion for adjournment, the mover had the right of reply.

The Hon. the SPEAKER said that, as a matter of personal explanation, the honorable member would be in order in addressing the Council. There was always a latitude allowed in questions of personal explanation. If the honorable gentleman had any personal explanation to make, he could do so, but not otherwise.

The Hon. Mr. MANTELL, as a matter of personal explanation, desired to say that there was a considerable misunderstanding about this matter. The Hon. Sir F. Dillon Bell and the Hon. Mr. Waterhouse came to him at the same time, and said nothing else than that it was no use putting their names on the Committee—that they would not serve. Both were speaking at the same time; and that was all he understood. His sincere motive for proposing their names on the Committee was to show that, in spite of any inference that might be drawn from what he said, the Hon. Sir Dillon Bell and the Hon. Mr. Waterhouse were both gentlemen in whose fitness and impartiality he had the utmost confidence. He certainly was not guilty of any intention of discourtesy, and trusted his honorable friends would acquit him of any such intention. With these few remarks he begged leave to withdraw his motion.

Motion for adjournment, by leave, withdrawn.

The Council adjourned at ten minutes past five o'clock p.m.

HOUSE OF REPRESENTATIVES.

Thursday, 13th November, 1879.

First Readings—Kingston-Cromwell Railway—Auckland Railway Workshops—Wanganui Gaol—Okarito Road—J. Barton and Others—Government Advertising and Printing—Newmarket Post Office—Balclutha Bridge—Local Bills—*Hansard*—Theatrical Performances—Public Accounts—Travelling Expenses of Members—Hauahu Tramway Company—Lands Returned to Maoris—Greymouth and Hokitika Railway—Public Trust Funds—Taieri River Floods—Otago Roads and Bridges—Collingwood Election—*Hansard*—Allen and Kingstreet—Grey Valley Petition—Unvoted Salaries, Native Department—Awatere Shearing Reserve Management Bill—Telegrams for Electioneering Purposes—Elective Council Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Patents Bill, Forest Trees Planting Encouragement Bill, Wellington Provincial District Highway Boards Bill, Administration Bill, District Courts Proceedings Validation Bill.

KINGSTON-CROMWELL RAILWAY.

Mr. PYKE, in the absence of Mr. Finn, asked the Minister for Public Works, if any steps have been taken in pursuance of the resolution of this House passed on 7th November, 1877, on the motion of the member for Invercargill (Mr. Lumsden)—viz., "That, in the opinion of this House, the further opening-up of communication with the interior of the southern part of the South Island, by an extension of the line of railway *via* Lake Wakatipu to Cromwell, claims consideration; and, therefore, that it be a recommendation to the Government that a survey of the above line be made during the recess, with a view of submitting the work to the consideration of the General Assembly at its next session"—and, if not, if he would be prepared to recommend and prosecute the survey of such line, or of a line from Queenstown to Cromwell, *via* Arrowtown?

Mr. OLIVER said that, in consequence of press of business in the office, the completion of the survey had been postponed by Mr. Larnach, the then Minister.

AUCKLAND RAILWAY WORKSHOPS.

Mr. TOLE asked the Minister for Public Works, if he is in a position to inform this House that the preliminary contract for the removal of the Auckland railway workshops to Newmarket will be proceeded with; and when? He had heard that the contract was to be proceeded with without delay, but he would like to have an authoritative answer confirming that rumour.

Mr. OLIVER said he was not in a position to give an authoritative answer. The appropriation had been made for the work, and, as he stated some days ago, the matter had been referred to the Hon. Mr. Whitaker for his opinion, which had not yet been received.

WANGANUI GAOL.

Mr. BALLANCE asked the Minister of Justice, Whether any communication has been received from the Visiting Justices respecting the state of the Wanganui Gaol building; and when it is proposed to commence the erection of a new gaol?

Mr. ROLLESTON replied that reports had been received during a considerable period of time with regard to the condition of this gaol, and there was no doubt that it required immediate attention. Two suggestions had been made—one to repair the present gaol, at a cost of about £300; and another to construct a new gaol, at a cost of £3,500. In the latter case the gaol would be placed upon another site. The Government had not yet had time to determine which was the more desirable course to pursue; but he might say that under existing monetary circumstances it was most probable that the Government would consider it better to incur the immediate expenditure of £300 to repair the gaol, and proceed gradually afterwards with a concrete building on another site.

OKARITO ROAD.

Mr. GISBORNE asked the Government, Whether, under a vote for roads to open lands before sale, the Government will place on the estimates a sum sufficient, in addition to the balance already available for the purpose, to connect the track from Lake Mapouriku, near Okarito, to the Waihou, with the Main South Road? He believed there was a balance which would be available for this work, which was an important one, as it would open up a large extent of Crown lands, and also auriferous land which was now being worked. He understood that a balance of £600 out of the amount appropriated last year was still available for the work, and he wished to know whether that would be expended and supplemented by the Government in order to complete the work.

Mr. OLIVER replied that of course all balances from the previous year had lapsed; but a vote would be proposed to the House to open up Crown lands generally, and the track indicated by the honorable member would be considered.

J. BARTON AND OTHERS.

Mr. REID asked the Colonial Treasurer, if it is the intention of the Government to place the sum of £400 on the estimates, as recommended by the Waste Lands Committee, in settlement of claims of John Barton, Thomas Hamilton, and others, petitioners?

Mr. OLIVER replied that a sum would be offered to the persons mentioned, in settlement of their claims. He believed a settlement would be effected.

GOVERNMENT ADVERTISING AND PRINTING.

Mr. GEORGE asked the Government, if they will lay before this House a return showing the amount paid to each newspaper in the colony for advertising and printing (separately) for the six years previous to the date up to which the return

supplied in reply to the motion of the honorable member for Waikouaiti had been furnished?

Mr. HALL replied that the preparation of this return would involve considerable labour, and it was quite impossible to prepare it this session. It would involve so much labour, and take up so much time, that the Government would not feel justified in putting the colony to the expense without a direction for that purpose on the part of the House.

NEWMARKET POST OFFICE.

Mr. TOLE asked the Postmaster-General, if he will lay before this House the report of the Chief Postmaster at Auckland on the advisability of erecting a post office in connection with the telegraph office at Newmarket?

Mr. HALL would be happy to lay the report on the table. There was a letter from the honorable gentleman himself which led to the report, and which he would also lay on the table.

BALCLUTHA BRIDGE.

Mr. THOMSON, in moving the motion standing in his name, said that the numerously-signed petition which he had presented on a previous day related to the re-erection of the bridge over the river at Balclutha. The destruction of that bridge was a very great drawback not only to the Clutha District, but also to the whole of the southern districts of Otago and Southland. That was the reason why the petition was so numerously signed. When he presented that petition he did not see any useful purpose in referring it to the Public Petitions Committee, as that Committee would either report that they had no recommendation to make, or that the petition should be referred to the Government. It was really only the Government who could deal with a petition of this sort.

Mr. BAIN had great pleasure in seconding the motion. He might state that this petition had been very numerously signed in the district from which he came, and he had been requested by the Southland County Council to give the matter his support.

Motion made, and question proposed, "That the petition of upwards of six hundred residents and settlers in the southern districts of Otago, relating to the Balclutha Bridge, should be referred to the Government for their consideration."—(*Mr. Thomson.*)

Mr. OLIVER said the Government had no objection to offer to this petition being referred to them. He would merely mention that the local bodies in the district had a large sum advanced them out of the £50,000 which the House voted last year for the purpose of relieving those districts which had suffered from floods. He thought the Balclutha County Council had received £7,500.

Motion agreed to.

LOCAL BILLS.

Mr. RICHARDSON, in moving the motion standing in his name, said he had mentioned the subject to a great many honorable members, and he believed every member to whom he had spoken

Mr. George

agreed with him that the time had come, or was close at hand, when some different system must be adopted from that which at present prevailed for dealing with the particular class of legislation to which his resolution referred. No doubt honorable members were generally aware that for the last two years this matter had been dealt with in the other branch of the Legislature by referring all local Bills to a Select Committee. It had been his intention, in the first instance, to bring down a distinct resolution, asking the House to call upon the Government to propose such a Committee at the commencement of next session; but he was informed that the proper course to attain that object was to bring forward such a resolution as that which he was now moving. He need hardly take up the time of the House by pointing out what had necessitated some such action as this, further than to say that, previous to the abolition of provinces, a great portion of these local Bills came before the Provincial Councils, the members of which bodies were thoroughly acquainted with the local necessities. Since the abolition of the provinces this class of Bills came to the House in much larger numbers, and necessarily so; and those who had watched the course of legislation during the present and last session must have seen that a great many of these Bills had gone through the House without many honorable members knowing anything about them. They must also have seen many petitions presented with regard to these Bills while they were going through their various stages in the House, and there was no opportunity given to the petitioners to be heard before the Bills were passed through the House. If the course he proposed was approved of by the Standing Orders Committee, and a Committee was appointed to whom these Bills should be referred, the members of that Committee would, at all events, have an opportunity of making themselves thoroughly acquainted with the subject-matter of the Bills, and of seeing that no injury was done to persons affected, and would report to the House for its guidance.

Motion made, and question proposed, "That it be an instruction to the Standing Orders Committee to consider and report whether it is desirable to adopt any special rules or Standing Orders for the consideration of Bills of a local or personal character, or of Bills which, though not strictly private Bills, affect the interest of private individuals."—(*Mr. Richardson.*)

Mr. HALL thought the motion an exceedingly useful one. Owing to the large amount of local business that now devolved upon the House, Bills affecting local interests really passed without that knowledge on the part of members which they ought to possess, and without that careful and detailed consideration which such measures ought to receive. The consequence had been that, even during the present session, Bills affecting local reserves and other local questions had passed through the House without such fair notice to the localities interested as they ought to have received. In the other branch of the Legislature, as the honorable gentleman stated, this question was taken up two

years ago. It was now being considered there, and he understood a wish had been expressed for the adoption of some joint Standing Order or other means by which harmony of action between the two branches of the Legislature in regard to these local Bills might be established. He hoped, therefore, the Standing Orders Committee would endeavour to ascertain what was being done in the other branch of the Legislature, and would put themselves in communication with it, so that there might be something like uniformity of action with regard to those measures.

Mr. GISBORNE quite agreed with the motion. Would the mover agree to add the words "or public bodies"?

Mr. KELLY thought it was very desirable that this question should be referred to the Standing Orders Committee. The Legislative Council had adopted a procedure with regard to local Bills which was very embarrassing to members of this House, and had passed Standing Orders which he thought ought not to be passed without the consent of this House. Those Bills should be dealt with by a Joint Committee of both Houses. Since Abolition a large amount of additional local legislation was thrown on the Parliament, and the whole question ought to be considered in a broad aspect. Whatever was done should be done concurrently by both Houses.

Mr. SEYMOUR thought it had been shown that there was a great necessity for something of this kind. The other branch of the Legislature had passed certain standing rules and orders with reference to the introduction of local Bills, but even that branch had not determined finally on the practice it intended to pursue. It had only laid down rules referring to the introduction of measures. It would be extremely desirable with regard to that branch of procedure to lay down joint Standing Orders by both Houses. At present he understood the other branch was considering whether its Committees should examine into the merits of particular measures. It had not yet come to a determination on that point. It was a point of great importance that Committees should have power to examine into and report to the House on the merits of the Bills. He could give an instance in point. He had the honor to bring up a report to-day from the Joint Committee on Private Bills on a measure submitted for their consideration, which they found was a private Bill. Very great delay would be entailed upon the promoters of that measure in order to put it into such shape as would make it acceptable to the House. Had that measure been submitted to a special Committee the error would have been discovered earlier, and valuable time saved. In addition to that, a kind of rough knowledge would be given as to the merits and bearing of each measure that came before the House; so that members would be able to make up their minds more speedily as to how they should vote.

Mr. ROLLESTON moved, as an amendment, That the words "or public bodies" be embodied in the resolution after the words "private individuals," and to add the words, "and to confer with any Committee which may be appointed

for a similar purpose by the Legislative Council, and to report either jointly or separately."

Mr. WRIGHT thought that in order to attain the object of the mover it would be necessary for the Committee to define a little more clearly what constituted public Bills, local Bills, and private Bills. Now, in the case of a Bill he moved, even the lawyers charged with the drafting of the Bill were not able to interpret the law on the subject. They were instructed repeatedly to draw it up as a local Bill; but a Committee of the Legislature decided that it was a private Bill. Standing Order 292 said,—

"Private Bills shall be understood to be Bills which are promoted for the private interests of individuals or companies, or which, by their provision, directly interfere with the private property of individuals; and the Private Bills Committee should give a liberal interpretation to the Standing Orders in favour of Bills of a public nature."

He ventured to say that had scarcely been carried into effect in the case he had alluded to.

Motion, as amended, agreed to.

HANSARD.

Mr. DE LAUTOIR, in moving the motion standing in his name, said it was submitted by direction of the Reporting Debates Committee. It transpired incidentally, during the Committee's inquiry into another matter, that for some time past, dating as far back as 1871, it had been the custom to send proofs of speeches made in Parliament to the Speakers and to Government House. The Committee saw no reason for that practice so far as Government House was concerned, and thought it desirable to report their unanimous opinion that the practice should cease. They were not able to ascertain very clearly how the practice originated. The Chief Reporter could not at present inform them accurately, neither could the Government Printer. The impression prevailing among those gentlemen was that the order was given by a former Speaker in the time of Sir G. Bowen, as far back as 1871. But the Committee, in considering the matter, saw no reason why proofs of speeches should be sent—as in practice was the case at present—to the Private Secretary at Government House. The Committee thought the *Hansard* reports—so long as a system of revision was approved of by the House—should be a sufficient intimation to all outside the House as to what took place in it. He did not go so far as to say that the present system of revision of speeches was all that could be desired. The Committee had that also under consideration, and he believed they would shortly have some suggestions to make to the House for the better control of the revision of speeches, as well as for the general improvement of *Hansard*. But so long as members were allowed to revise their speeches, even if that system of revision were rather faulty, there seemed to the Committee no reason why proofs, taken down with all their errors and inadvertencies, should be submitted to any one outside the House. For that reason he was instructed to bring the motion before the House.

Motion made, and question proposed, "That

this House, in accordance with the recommendation of the Reporting Debates Committee, resolves that in future no proofs of speeches made in the House be sent out from the Printing Office, except to the Speaker and the members whose speeches are reported."—(*Mr. De Lautour.*)

Mr. HALL trusted the Committee would consider the advisability of having the numbers of *Hansard* issued earlier than at present, as the time at which the published reports of speeches reached honorable members was so long after they were delivered as to practically deprive them of half their value. It was now necessary to look to other sources of information for what honorable members said; and those sources were very imperfect. He trusted some steps would be taken which would have the effect of very much expediting the issue of *Hansard*. He thought that perhaps proofs should not be sent to any one outside the House, but he did not understand this objection to extend to revises of speeches which had been corrected.

Mr. SAUNDERS did not approve of the motion. He quite agreed that it would be better if revised proofs were sent to the Private Secretary of the Governor if they could be obtained quickly. He thought it was better that the proofs should go without revision than that they should be left to the mere newspaper reports of speeches in the House. Whatever might be the faults in the *Hansard* proofs before they were corrected, he must say they were infinitely better than any other source from which any one could learn what had been said in the House. Unless the revised speeches could be sent out more quickly than the *Hansard* was published, it would be much better that matters should remain as at present without any alteration. It appeared to him that what they had mostly to complain of in regard to *Hansard* was that the speeches were so infinitely improved that they gave very little idea of the manner in which some members occupied the time of the House to no useful purpose. He could only say that the speeches should be reported more faithfully, so that the public might have a better idea of the nonsense talked in the House, and the immense amount of time taken up to no good purpose whatever.

Mr. SHRIMSKI said the honorable member was quite right. He was passing the Library a fortnight or three weeks ago and saw the honorable member correcting his speech, and he was certainly making it better than what he had said in the House.

Mr. DE LAUTOUR, in reply to what had fallen from the Premier, said the Government Printer had given him hope to-day that, provided certain alterations were made which had been spoken of by the Reporting Debates Committee, with the object of compressing matter which was not of primary importance, and the Chief Reporter was relieved from his constant round in the gallery as an ordinary reporter, and his services were placed at the disposal of *Hansard* for the real object for which they were originally intended—namely, that of revision—a daily *Hansard*, without stitching or binding, was a matter which it was quite possible to provide. When

Mr. De Lautour

more carefully revised it could be issued in numbers afterwards. Some suggestion of that sort would be considered by the Committee. He was sure that honorable members would be glad to sacrifice some little advantages in order to secure that object. Of course the proposal would be submitted to the House.

Motion agreed to.

THEATRICAL PERFORMANCES.

Mr. DICK, in moving the motion standing in his name, said his honorable friend the member for Invercargill had put a question to the Premier on this subject on the previous day, and had been informed by him that the Government were fully alive to the importance of this subject. He doubted if they were fully alive to its importance: if so, there would be no hesitation in saying that a Bill would be brought in. The country had recently cried out for such a Bill. He had heard complaints made over and over again in the South. Even the newspapers had taken up the matter so strongly that they had, to their credit, for some time refused to print notices of some of the theatrical performances which had taken place. Surely the Government should be able to step in and say that such performances should not go on. In Otago, some seventeen years ago, an Ordinance had been enacted controlling these theatrical performances, and the result was that there had been no improper entertainment. It was thought that the Ordinance was still in force, but it was found that an Act passed by this House, and which gave an imperfect amount of power, had entirely overridden that Ordinance. He asked that a Bill should be brought in not only restoring those powers to Otago, but giving them to the whole country. He was glad that the Premier acknowledged the importance of this subject, and that the only question was, whether it should be introduced by a private member or by the Government. In a matter of such importance the proper course would be for the Government to bring in the measure, and endeavour to have it carried through the House.

Motion made, and question proposed, "That it is expedient for the Government to have power to control theatrical performances, and that a Bill be brought in by the Government giving such power."—(*Mr. Dick.*)

Mr. STEWART believed if a measure of this sort were brought forward it would meet with the approval of every member of the House. Although the motion was worded in a general way, he understood it was directed against some specific class of performances. In England, and in almost every British colony, laws existed by which performances of an obscene or indecent character could be effectually put down. In this colony, through some oversight in the legislation, the law was very unsatisfactory, and in an imperfect state. Seeing that such laws existed in England and in other colonies, the Government might feel some confidence in bringing forward a law on the subject. The circumstances which gave rise to testing the law on this question had occurred in the City of Dunedin. The City Council found that, although it was desirable that a law should

exist on the subject, they themselves were helpless to put down what was universally considered to be a very improper performance. There was a limit beyond which the law should not allow these performances to go, and that limit had been greatly transgressed. He thought the Government should not hesitate one moment in bringing forward a measure for the purpose of regulating performances of that kind in future.

Mr. ROLLESTON said the Premier stated on a recent occasion that the Government heartily sympathized with the object the honorable member had in view, and that the Government had already taken steps to have a Bill prepared. A Bill was prepared, and the Government would bring it down, and do its best to carry it through. Whether that was possible would rest very much with the House. It would not be for want of will and endeavour on the part of the Government, if the Bill were not carried.

Mr. TURNBULL thought the matter rested very much with the people themselves. A clause might be inserted in the Municipal Corporations Act, giving power to the Mayors and different Municipalities to declare that no such entertainments should take place in the towns. That would be a successful mode of dealing with the matter, and one more in accordance with the taste of the people.

Motion agreed to.

PUBLIC ACCOUNTS.

Mr. HALL, in moving the motion standing in his name, explained that he had kept the members of the Committee below the number usually proposed, with the view of making it more workable. Honorable members who had been omitted, and who would have been useful members of the Committee, would understand the reason for the course taken. He trusted the selection he had made would commend itself to the House.

Motion made, and question proposed, "That a Select Committee, to consist of fourteen members, be appointed, to examine into and report upon questions relating to the Public Accounts; five to be a quorum; and that this Committee be a Parliamentary Committee. The Committee to consist of Major Atkinson, Mr. McLean, Mr. Stevens, Mr. Reader Wood, Mr. Saunders, Mr. Dick, Mr. Ballance, Mr. Hislop, Mr. Montgomery, Mr. Moss, Mr. Gisborne, Sir G. Grey, Mr. Johnston, and the mover."—(*Mr. Hall.*)

Mr. DE LAUTOUR would like to propose an addition, if the Government did not object. For some time past there had been a great deal of dissatisfaction in regard to the results of the audit of local governing bodies' accounts by Government auditors. It might seem that an inquiry into such matters would be within the order of reference; but he hardly thought it would, because the motion simply referred to "Public Accounts." He would like to propose the following, by way of addition: "That it be a special instruction to the Committee to inquire into the systems from time to time in force providing for the audit of the accounts of local governing bodies by Government auditors; to report to the House generally thereon, and particularly as to what facilities

exist for checking and controlling irregularities which may be detected by such auditors in the prosecution of their duties." There was an impression prevalent that, although they had paid auditors to examine into the accounts of local governing bodies, the reports of those auditors became really a dead-letter, unless they were enforced by some process which at present did not exist. He believed that by law the local governing bodies whose accounts might be under consideration ought to publish the reports of the auditors, but he understood that there was nothing to compel such publication. As a matter of fact, there were several reports which should be considered by members of the House, at all events, in relation to several local governing bodies in this colony. Their finances were not in a satisfactory state in many instances, and very often their valuations of the property which they held were altogether wrong. Fallacies of that kind had been pointed out by the auditors; but there was really no system, so far as he was aware, of controlling or enforcing the audit. It would be a very useful thing if the Public Accounts Committee, which was a Parliamentary Committee, felt it to be one of their primary duties, instructed by the House, to report from time to time upon the system of auditing the accounts of local governing bodies. These bodies received large sums of public money, and it was right that the House, as representing the people, should know exactly what was being done with the money. He hoped the Government would not object to some addition of the kind he had indicated: he was not wedded to the particular form.

Mr. PYKE agreed with a great deal that had fallen from the honorable member for Mount Ida; but the honorable gentleman did not go quite far enough. All local bodies did not have their accounts audited by Government auditors. Especially was this the case in regard to Municipal Corporations. He knew, of his own knowledge, that many payments were made by the Municipal Corporations which were entirely contrary to the spirit and letter of the Municipal Corporations Act. They appointed their own auditors, who made a perfunctory examination of accounts and vouchers, and did not, in any proper sense of the word, audit the accounts at all. He thought Municipal Corporations should be brought under the system of public audit. Then, again, with regard to counties: Their accounts were audited by a public auditor, and—at any rate, so far as the auditor for the Provincial District of Otago was concerned—that officer did his work extremely well. But here was a case which had arisen on more than one occasion: It was found that counties had expended moneys for purposes which were beyond the powers conferred upon them by the Act—*ultra vires*, in fact. What could the auditor do? He certified to the effect that the accounts were perfectly correct, but that a certain sum had been expended which the county had no power to expend for the purpose: and there the matter ended. He could name, if necessary, two counties in which such remarks had been attached to the auditor's certificate. There was no power to spend ratepayers' money or Government

money on the purposes for which, in some cases, it had been spent. The auditor knew that, but there was no remedy; and therefore, unless the county conscientiously kept its expenditure within the four corners of the Act, which it should do, it might lavish money in the most wild and irrational manner, and the only thing that could be done was to say it had done so very improperly. There was no means of compelling the local authorities to rectify the matter, unless some ratepayer chose to sue the Councillors individually or collectively. He would like to see some remedy adopted, because the practice might lead to gross abuses. If he was not mistaken, the honorable member for Wakatipu put a question to the Government in the early part of the session asking them if they would provide for the audit of the accounts of all local bodies, and he went on also to ask whether they would provide for a public audit of all the accounts of benefit societies. He (Mr. Pyke) forgot what answer was given to the question. Really this applied also to benefit societies, which should have some supervision exercised over them if they were to be safe depositories of the contributions of the persons who belonged to them. He merely threw this out as a suggestion.

An Hon. MEMBER suggested that the words "by Government auditors" should be omitted from the amendment.

Mr. DE LAUTOUR would rather carry half the measure than run the risk of losing the whole. The word "public" might be substituted for "Government." He would ask leave to make that alteration.

Mr. HALL said the object was an exceedingly desirable one, but he rather questioned whether, if the Committee were to go outside the investigation of the conduct of Government officers, it would not be going beyond its duty. He agreed with the honorable member for Dunstan that there were other bodies, besides those whose accounts were audited by Government auditors, whose conduct required looking into; and he could see no reason why the accounts of municipalities should not be audited by officers appointed by the Government. But he did not think that was a question which they need refer to the Public Accounts Committee: it was a matter for legislation. With regard to the amendment itself, he entirely agreed with it. He thought it was exceedingly desirable that these irregularities, of which they heard a good deal, should be inquired into, and that the Committee should recommend to the House some means by which a more efficient control should be given to the auditors than they now had. He did not quite agree with the honorable member for Dunstan that there was no check whatever. A case came under his notice a few days ago in which a Road Board in the Provincial District of Canterbury applied for its subsidy. On inquiry it was found that the subsidy had been stopped by the Government because the auditor had rejected an item of expenditure, and the Road Board had taken no notice of his report. It was a sum of £40, which the Road Board had expended on a breakfast to Sir George Grey. It did

Mr. Pyke

not appear to the auditor that that was within the purposes for which Road Board moneys ought to be expended, and therefore he disallowed the item. But the Road Board took no notice of the disallowance, and he (Mr. Hall) found that the Treasury—he thought, very properly—stopped the subsidy to the Road Board until the matter was set right. So that there was some check, though he quite admitted that it was not sufficient. He hoped that the amendment of the honorable member for Mount Ida would lead to the introduction of a better state of things.

Mr. TURNBULL wished to call attention to a circumstance which he thought worthy of notice. They were now on the eve of a very great change, and he would be exceedingly sorry to see a numerous body of auditors appointed all over the country. He thought that, unless the Government found the funds, they had no right whatever to interfere with the appointment of auditors. These people who raised the revenue for themselves would be quite sharp enough in looking out that their money was expended properly, and the same would apply to the Road Boards and the counties at the end of the present session. He would be sorry if, while they were talking so much about retrenchment, they should undertake a system which would entail very great expense upon the colony. The time would come when there would be very serious talk not only as to appointing fresh officers, but as to dismissing a great many who are now in the service. He did not object to the amendment of the honorable member for Mount Ida, but he hoped it would be a thing of the past so far as the Government was concerned, both with the counties and the Municipalities. The circumstance brought forward by the Hon. Mr. Hall in reference to the breakfast to Sir George Grey was a case in point. It was possible that the Municipality or Road Board might choose to make such an expenditure out of their own funds, but here an unfortunate circumstance had been brought up. He did not mean to say the honorable member brought it forward solely because it was the case of Sir George Grey. It was, perhaps, an unfortunate accident at the present time; but the people who raised the money had a perfect right, without any interference from the Government Audit, to expend it in any manner they pleased.

Mr. BOWEN entirely disagreed with the honorable gentleman's proposition, that the State was not to look after the expenditure of public funds because the Parliament did not happen to vote the money. It had been found even with regard to the funds of friendly societies that it was advisable, and, in fact, necessary, for the Legislature to interfere and secure a proper audit for the protection of the people who paid money into those societies, and who were still more likely to look after the expenditure of the funds than was the case with ratepayers. He thought the honorable gentleman would find that he had laid down a general proposition which was untenable; and he hoped that the audit, instead of being more lax, would be more strict than it had been in the past, in the interests of the ratepayers themselves.

Mr. SPEIGHT said that, notwithstanding the satisfaction with which the present system of audit was regarded by some, he knew that there was a very wide feeling of dissatisfaction amongst the ratepayers in certain localities on account of the expenditure of money by local bodies in a most illegal manner. The Premier talked about £40: he (Mr. Speight) saw £140 given in connection with a dinner of a similar kind to that quoted by the honorable gentleman, and no one was able to put a finger up to stop it. If the expenditure went before the Government Auditor, and if he called attention to it, what further action would be taken? None whatever. Then, again, receptions were got up for this public individual and the other public individual, and the expense, in some instances amounting to £200, was defrayed out of the funds of the ratepayers. It was a monstrous wrong upon the people. When provincial institutions were abolished, people supposed they were going to get cheap local self-government; but what had they got? They had got an accumulation of evils. Instead of the evils being got rid of, they had been aggravated. They had got local men to take charge of affairs who incurred an expenditure out of all proportion to the expenditure in connection with the provincial institutions. Men voted themselves salaries, travelling allowances, hotel expenses, horse-hire, and every conceivable item that expenditure could be brought under. And for what? Perhaps for nothing in the end. And then these men who voted salaries sent persons to lobby round that House to get their representatives to toe the line for certain local requirements that they wanted carried out, and squeeze out of the colony money to pay for their waste. Something should be done to prevent this waste of public money. In some instances the ratepayers had endeavoured to put their foot upon that kind of thing. They had appointed persons in their own interest to go and examine the books in order to show that the money was being illegally expended. But when it was proved that the money of the ratepayers had been illegally spent, there was no redress whatever. He hoped that, whether the amendment of the honorable member for Mount Ida would meet the case or not, the Premier would bring in some measure by which this illegal expenditure should be cut off sharply and suddenly, so that the people would learn to look upon local self-government as a blessing instead of a curse.

Mr. GISBORNE believed that the true principle had been laid down by the honorable member for Mount Ida—namely, that in the case of subsidized bodies there should be a Government audit. The reference to the friendly societies was not analogous. In the case of those bodies there was an actuarial element involved, the State deeming it necessary to interfere, in view of the actuarial system, to see that the persons belonging to the societies received the benefits which their subscriptions were intended to secure. It was a great neglect of duty that we had not followed up our subsidies to local bodies by insisting upon an official audit, in order to see that the money was spent upon the object

for which it was appropriated; and, in the case of those municipal bodies which were not subsidized, they ought to give the ratepayers the proper means of looking after their own audit.

Mr. IRELAND reminded the honorable gentleman that all the municipalities received endowments, which he held were equivalent to money.

Mr. STEVENS understood the honorable member for Auckland City East to say that the present system of audit was defective in control. If that were so, the elective system, which the honorable gentleman seemed to regard so highly as part of the great advantage of self-government, fell to the ground entirely.

Mr. SPEIGHT said he alluded to the bodies whose auditors were appointed by the Government—the counties, not the municipalities.

Mr. STEVENS thought the honorable gentleman included the bodies which elected their own auditors. He certainly regarded the motion of the honorable member for Mount Ida as a very proper one. At the same time, he would remind the honorable gentleman that it was within the powers of the Public Accounts Committee to inquire into and report on the accounts of any local body, or any other subject which might be directly referred to the Treasurer. The Government could at any time during the session, under the constitution of the Public Accounts Committee, have an audit made of the accounts of any local bodies the audit of which was defective. Still, the motion was a very desirable one, and he should support it.

Amendment agreed to, and motion, as amended, agreed to.

TRAVELLING EXPENSES OF MEMBERS.

Mr. SPEAKER laid on the table certain memoranda that had passed between himself, as Speaker, and the Controller-General, on the subject of the charges for travelling expenses of certain members coming to and returning from the meeting of Parliament. He (Mr. Speaker) stated that he had last session passed such accounts in accordance with the practice that had prevailed under his predecessors; but the Controller objected to any future payments being made without the House making a regulation on the subject. He (Mr. Speaker) thought the Committee just appointed would be a suitable body to frame a regulation on the subject.

On the motion of Mr. HALL, it was ordered, That the papers be referred to the Public Accounts Committee.

HAUHAU TRAMWAY COMPANY.

On the motion of Mr. REID, it was ordered, That the petition of the Hauhau Tramway Company be referred back to the Petitions Committee, in order that further evidence may be taken thereon.

LANDS RETURNED TO MAORIS.

Major TE WHEORO, in moving the motion standing in his name, said it referred to land in the Waikato which had been confiscated by the Government and afterwards returned to the Maoris. The Maoris were living on the lands

returned to them, but were in a state of uncertainty as to the title, because no Crown grants had been issued. The matter had been before the Native Affairs Committee, and they decided on referring it to the Government, and recommending the issue of the Crown grants.

Mr. TOMOANA seconded the motion, and said there were several pieces of land in the same position in his district. The Natives had for some time been looking for the issue of the grants, but the Government had never issued them; and they had asked him to move in the matter. Their request was a very reasonable one, and he hoped the House and the Government would accede to it.

Motion made, and question proposed, "That Crown grants be issued for those lands which have been returned to the Maoris by the Government."—(*Major Te Wheoro.*)

Mr. BRYCE said that the honorable member (Major Te Wheoro) referred to lands which had been returned to the Natives by the Compensation Court in 1866; and he might inform the honorable member that one of the first official acts he (Mr. Bryce) had to perform on coming into office was to sign an order for the issue of these grants, and they were now in course of issue. In respect to what Mr. Tomoana said, while he was not in a position to say these grants were in course of issue, he could assure the honorable member that there would be no unnecessary delay connected with them.

Motion agreed to.

GREYMOUTH AND HOKITIKA RAILWAY.

On the motion of Mr. SEDDON, it was ordered, That the petition from G. Blake, Esq., Mayor of Kumara, and two thousand other residents of the Towns of Kumara, Goldsbrough, Stafford, Hokitika, and Greymouth, relative to railway deviation, be ordered to be printed.

PUBLIC TRUST FUNDS.

On the motion of Mr. STEVENS, it was ordered, That there be laid upon the table a return of the securities against the Public Trust funds.

TAIERI RIVER FLOODS.

On the motion of Mr. DICK (in the absence of Mr. Fulton), it was ordered, That a return be laid before this House giving a detailed statement of the damage done to the railway, since its construction, by the flooding of the Taieri River, together with the cost of repairs consequent thereon.

OTAGO ROADS AND BRIDGES.

Mr. SHRIMSKI, in moving the motion standing in his name, said he had no intention of occupying the time of the House with this matter at present; more especially as a somewhat similar motion, of which notice had been given by the honorable member for Waipa, had been postponed.

Motion made, and question proposed, "That on Wednesday next this House will resolve itself into Committee to consider of a respectful ad-

dress being presented to His Excellency the Governor, praying that he will cause the sum of £500,000 to be placed upon the estimates as a grant for the Provincial District of Otago for roads and bridges."—(*Mr. Shrimski.*)

Mr. ROLLESTON hoped the honorable gentleman would not consider that, by the motion being allowed to pass at this stage, the House or the Government would in any way be committed to the proposal. The Government altogether objected to it; but the Treasurer's Statement would be brought down before the matter came up again, when the opinions of the Government on finance would be made known.

Mr. DICK advised the honorable gentleman to withdraw the motion. Of course the honorable member for Waipa knew there was no chance of carrying his resolution, or he would have been here, and the honorable member (Mr. Shrimski) had better withdraw this motion.

Mr. SHRIMSKI altogether declined to accept the advice of the honorable member.

Mr. GIBBS, notwithstanding the curt refusal of the honorable member to accept advice, still hoped he would withdraw the motion. No good could possibly come of it, and if it were allowed to pass even an initial stage there would probably be many more proposals of a similar sort before the House.

Motion agreed to.

COLLINGWOOD ELECTON.

Mr. GIBBS, in speaking to the motion standing in his name, said a long time had passed since he first gave notice of it, and the excitement prevailing at the time had died away; therefore he should not say so much as he should otherwise have said. The telegrams which were handed about by one of the gentlemen who opposed him under the auspices of the Liberal Association of Otago were distributed freely, and bore the signature "G. Grey," which, as indicated in the motion, he presumed to be the signature of the then Premier of the colony. Now, while he fully admitted the right of every one to support gentlemen who held the same views as himself, still, when the Premier of the colony sent such telegrams, it savoured very much of Government interference with the elections. However, he thought it would be just as well now to withdraw the motion, and let bygones be bygones.

Mr. SPEAKER said it was inexpedient for an honorable member to speak on the merits of a motion and then ask leave to withdraw, thus preventing any one replying to him.

Mr. GIBBS, in that view of the matter, had no desire to withdraw the motion.

Motion made, and question proposed, "That a copy of a telegram, addressed individually to numerous electors of the Collingwood electorate, and signed 'G. Grey,' and received on the day of the election, be laid before this House."—(*Mr. Gibbs.*)

Mr. MACANDREW hoped the motion would not be agreed to. He did not see why private telegrams should be asked for in that House. He presumed it was competent for "G. Grey" or anybody else to send private telegrams without

Major Te Wheoro

being compelled to lay copies before the public. If that were to be so, the House would be turned into a sort of Inquisition. He hoped the House would negative the proposition.

Mr. HALL said he agreed with the leader of the Opposition. If these had been Government telegrams, paid for at the expense of the country, the motion would have been proper; but he understood that such was not the case. The late Premier made it a rule to pay for all such telegrams as these. Therefore he hoped the motion would be allowed to be withdrawn.

Mr. MONTGOMERY thought it was necessary that the resolution should be put and negatived, because the House should be careful to at once lay it down clearly that it would have nothing to do with private telegrams of this sort. The leader of the Government very properly supported the leader of the Opposition. If this sort of thing were commenced we should never know where it was to stop.

Mr. STEWART understood the Premier to assume that all telegrams sent or received by the Government, whether paid for or not, could be produced to the House for its information: that was to say, if any gentleman in the colony chose to send a telegram to a member of the Government, whether officially or unofficially, the original, being in the telegraph office, could be produced.

Mr. HALL never said anything of the kind. What he said was exactly the opposite to what the honorable member assumed.

Mr. STEWART was fortified in his assumption by the fact that he was informed that telegrams paid for by a gentleman in the colony, and sent to the Government, had been laid on the table that afternoon as coming within the term "public telegrams to the Government." He might have been misinformed, but he had been told that such was the case. If telegrams were paid for, he apprehended the Government were not justified in producing them. He held it to be one of the fundamental principles of the telegraph system that secrecy should be observed: if it was not observed, the whole object of the system would be destroyed. The honorable member for Collingwood seemed to assume that because a telegram was sent to some gentleman in his district, signed by the late Premier, therefore it should be produced. He held that it would be a gross violation of the law regarding the Telegraph Department to comply with such a request. The motion was evidently moved in entire ignorance of the law, and the House should not only discountenance it, but condemn any such proceeding.

Mr. HALL thought the House would allow him to make a personal explanation, after such a statement as the honorable member had made, without any grounds whatever.

Mr. STEWART said he had stated he was informed.

Mr. HALL.—That was not sufficient. If the honorable gentleman chose to make an accusation against the Government of doing that which was wrong, he should be prepared to give grounds for his accusation, and not make a general statement that he was "informed." The order given by the

Government to the Telegraph Department was in accordance with the recommendation of the Committee of 1871—namely, that no telegrams sent or received by the Government, except those on electioneering matters paid for at the public cost, should be produced. Those were the only telegrams produced: those which related to electioneering matters were taken out and copied, and the copies laid on the table. The honorable gentleman had no right to say that the Government laid on the table any telegrams that had been paid for. Nothing of the kind was done, or, if there was such a telegram amongst those produced, it was the fault of the officers of the department, and not of the Government.

Motion negatived.

HANSARD.

Mr. SAUNDERS, in moving the motion standing in his name, said it was a motion which would commend itself to members of the House as a very legitimate and proper means of educating the people. It was very desirable that those who wished to follow the debates in the House should have every opportunity of doing so, and in a manner that would guide them to some knowledge of what actually took place. The reports, of course, conveyed to the public in any other way were so meagre and incomplete, and at the same time so partial, that they only served to mislead the public. If, therefore, it was desirable that the public should know what actually took place, honorable members would agree that it was necessary these means should be placed at their disposal. From inquiries he had made he had ascertained that the cost of a single number of *Hansard* was about half what was now charged for it, and that copies might be placed at the disposal of the public at that price without any loss to the revenue. Although *Hansard* was expensive in its first production, any additional numbers would not cost much. Those honorable members who had a number of constituents whom they wished to keep well informed on political matters, would find it very convenient to have twenty copies of *Hansard* placed at their disposal. Although he represented one of the least-populated districts in the country, he found the number of copies he now got was quite insufficient, and he could easily dispose of twenty copies, as no doubt other honorable members could also.

Motion made, and question proposed, "That, in the opinion of this House, twenty copies of *Hansard* should be placed at the disposal of each member of the House of Representatives; and that the price at which *Hansard* should be sold to the public should be as low as will cover the cost of paper and extra printing."—(Mr. Saunders.)

Mr. GISBORNE thought the Reporting Debates Committee should have been consulted before this motion was brought forward. A year or two ago it was resolved that eight copies of *Hansard* should be supplied to each member; and if honorable members wanted more copies they should pay for them, particularly when the honorable member proposed that the price should be

lowered. Of course every honorable member could very easily dispose of fifty or a hundred copies amongst his constituents; but he did not think the public ought to pay for them. He would move, as an amendment, That the question be referred to the Reporting Debates Committee for its consideration.

Mr. STEWART thought the present system allowed honorable members quite as many copies as were necessary; and, if they wished to gratify their constituents by circulating *Hansard* amongst them, they should do so at their own expense. The real difficulty which was experienced throughout the country was, that persons who took an interest in reading *Hansard* found great trouble and inconvenience in having to send to Wellington to ascertain the cost, and in having then to send remittances here. That difficulty discouraged people taking it in. If the Government facilitated the obtaining *Hansard* through booksellers at the different towns, he believed there would be a very proper demand, on the part of a large number of colonists, to read it and appreciate it. At present, in consequence of the difficulty of procuring the publication, people paid very little attention to it, and looked upon it as a burden to have to go through its pages. The present system was not satisfactory; but he believed, if the Government would carry out his suggestion, a legitimate demand for *Hansard* would arise.

Mr. ANDREWS said the plan proposed by the honorable member for Dunedin City was already in force, and *Hansard* could be obtained through most booksellers. He must oppose this motion. In his district people were quite contented to pay the ordinary charge of 10s. a session to get *Hansard*, and he had never heard any complaint of that charge being too high. Several applications had been made to him for copies exceeding his free limit, and the money had always been forthcoming. Should there be any alteration in the present system, he would suggest, not that every honorable member should receive twenty copies, but that each honorable member should receive a number in accordance with the number of persons he represented. For instance, why should Christchurch, with its four thousand electors, be only entitled to twenty copies, in Cheviot, with about two hundred electors, received that number? He did not see any reason for altering the present system, and would therefore vote against the motion.

Mr. GEORGE hoped the resolution would be negatived. If an honorable member desired to send copies of *Hansard* to his constituents, surely he could pay 10s. a session, and have it sent regularly. The country ought not to be put to the expense of the extra printing.

Mr. REEVES said it was all very well for the honorable member for Dunedin City and the honorable member for Christchurch City to talk about honorable members receiving only a certain number of copies. Those places had only one polling-place each, and had plenty of atheneums and libraries to which *Hansard* was already sent free; but there were other districts in which there were as many as twenty polling-places.

Mr. Gisborne

He was one of those members who were in the unpleasant position of having a number of polling-places in their districts, and it was only a matter of courtesy that he should be enabled to send a copy of *Hansard* to some person at each place who was inclined to take an interest in the politics of the country.

Mr. SHRIMSKI thought the most remarkable thing about this discussion was the silence of the Government. They never said a single word. Because the honorable member was one of their supporters, he might incur as much expense as possible. The Government said they were going to clear out the pigeon-holes, and find out all the corruption and bribery there. Now the honorable member for Cheviot, who was a great financier, and was always trying to save the money of the country, comes forward and suggests that twenty copies of *Hansard* should be given to each member; and the Government quietly acquiesces. If he (Mr. Shrimski) had brought forward such a motion, he would have been jumped on at once. It showed that party feeling ran very high in the House.

Mr. HALL thought there could be no doubt that party feeling did run high. He feared that party feeling had got hold of the honorable gentleman himself, who did not speak of the Government in that spirit of fairness in which their actions should be discussed. He seemed to be prejudiced, and not to place the most favourable construction on what the Government did. If he had done so he would not have asserted that the Government did not wish to express an opinion upon the subject. He (Mr. Hall) was watching for an opportunity to do so, but the agility of the honorable member opposite prevented him. He himself was about to rise when the honorable member for Waitaki, with that extreme agility which he often displayed, rose, and prevented his doing so. He believed it was very desirable that correct information as to what took place in the House should be spread as far and as wide throughout the country as possible. It was particularly desirable in this colony, because they were so situated that they had no metropolis and no metropolitan Press with the large resources that were possessed by other colonies, which resources enabled the Press of other colonies to give ample and excellent versions of what took place each day in Parliament. The people of this colony were deprived of that advantage: therefore they had to look to the only other means of obtaining that information—namely, to *Hansard*. Under these circumstances, he thought the House, with the object of advancing the political education of the colony, ought to take a liberal view of this question; and if the honorable member for Cheviot had constituents who, if not very numerous, were intelligent, possessed political activity of mind, and were desirous of getting considerable political information, they ought to encourage him and his constituents too. As the honorable member for Grey Valley (Mr. Reeves) suggested, it was all very well for gentlemen representing large centres of population, where libraries and atheneums were at command, to undervalue

this motion; but in districts with scattered populations, unless *Hansard* was sent to the homes of the people, they must remain comparatively ignorant of what was going on in the House. For these reasons, he thought it would be wise to take a liberal view of the motion. The amount involved was not very large after all, because it would be found that members did not at present avail themselves of all the copies of *Hansard* they were allowed to have; it did not follow that, if the motion were agreed to, eighty members would send away twenty copies each. They now found an honorable gentleman, who a short time ago moved that £500,000 should be placed on the estimates for works in Otago, objecting to this proposal, which would not amount to a thousandth part of the expenditure he had himself suggested. He (Mr. Hall) was glad to find that the financial condition of the colony had produced such an impression on the honorable gentleman. Notwithstanding the depressed condition of their finances, it would be wise to incur this proposed expenditure.

Mr. TURNBULL was sorry to hear this expression of opinion from the Government. If an honorable member wanted a few extra copies of *Hansard*, he could obtain them at the small sum of 10s. a set. Considering the handsome sums members got from the country every year, they were well able to pay out of their honoraria the price of extra copies of *Hansard*. It was not a question of sending a few copies of *Hansard* away, but it would lead to great abuses. Members would require too much to be done for themselves. *Hansard* cost £5,000 a year, and he did not think it would be too much for honorable members to pay for whatever extra copies they required. He would take the sense of the House upon this motion.

Mr. ROLLESTON said there appeared to be a great display of virtue upon this question. It was purely a question of degree. The argument of the honorable member for Timaru would go against having any free *Hansard* at all. It was well known that a considerable number of members did not avail themselves of the numbers of *Hansard* which were already at their disposal. If there were constituencies, like that of the honorable member for Cheviot, who took considerable interest in the proceedings of the House, and appreciated them, they should have an opportunity of reading the debates. It was not a question of right or wrong, as several honorable members would have it. It was simply a question of degree. He thought it was very desirable to refer the matter to the Reporting Debates Committee, to hear their opinion upon it.

Mr. REID said that, while he did not agree with the motion tabled by the honorable member for Cheviot, he must give that honorable gentleman credit for bringing up an important debate. It opened up the question whether *Hansard* was the best system that could be provided for reporting the proceedings of the House. The House was not, perhaps, aware that in some other colonies there was no *Hansard* published at all. In England the *Hansard* reporters took the reports from the London *Times*, and a very small

staff indeed was kept for the House of Commons. In Victoria there was also a very small staff, who took the reports chiefly from the morning papers. In New South Wales there was no *Hansard* until last year. In South Australia they depended entirely on the *South Australian Register*. The Premier said that one great fault of *Hansard* was, that reports were not brought out in time. He thought the Reporting Debates Committee should take this matter fully into consideration, and report whether they could not suggest some improvement on the present system. Not that he found fault with the reporting: on the contrary, he thought New Zealand had a more efficient staff of reporters than any other colony. The reports, in fact, were too elaborate, and might with no great disadvantage be condensed. He did not agree with the motion at present before the House, or think sufficient publicity would be given by adding twelve or thirteen copies to the number at present at the disposal of honorable members. What was wanted was more publicity throughout the colony, by the circulation of three or four thousand copies of *Hansard* the morning after the speeches were delivered in the House. He believed that could be brought about with a great saving, and would confer a great boon, not only upon the House, but upon the public at large.

Mr. KELLY thought the public should be fully informed of the proceedings in Parliament; but any member who had been long in the House would understand that there was a greater amount of printed matter issued by the Government in New Zealand than by any other Parliament in the colonies. He thought the Government were misinformed when they said that members of the House did not take all the *Hansards* they were entitled to get, because lately, when he had sent to his constituents the eight copies to which he was entitled, and wanted more, he found that he could get none from other members, as they also had sent all theirs away, and he had to go to members of another branch of the Legislature to get copies for his constituents. The question at issue was really this: If these twenty copies could be furnished to each member of the House without incurring large public expenditure, it ought to be done; but they ought to be informed what the cost would be. Then they could make up their minds whether it should be confined to the speeches of members. Several of his constituents had applied to him to get the price of Acts of Parliament reduced. That was quite as desirable as that the public should be furnished with *Hansard*. The laws of the land should be supplied to the constituencies on equally advantageous terms. If this resolution were passed, he would bring forward another to the effect that Acts of Parliament should also be placed at the disposal of members, so that their constituents might be able to make themselves acquainted with what had been decided by Parliament. It was a matter for the consideration of the Government; and if they could agree, in the present financial depression, to furnish this additional printed matter, he would not oppose it.

Mr. MONTGOMERY thought it was very ad-

visible that copies of *Hansard* should be supplied at as low a price as possible to the public, so that they might understand what was going on in the House; but he did not know that it would benefit the public if they gave additional copies to members. Members would very probably send the additional copies to those constituents that had supported them, and therefore those who were on the other side would not be educated at all. He knew that there were members who sent away nearly thirty copies of *Hansard*. He considered the suggestion of the honorable member for Dunedin City was very valuable, and that *Hansard* should be supplied as cheaply as possible. He did not think they should increase the number at present given to members, because they would be distributed among particular electors, and not for the information of the people.

Mr. GIBBS said that the people in his part of the country to whom he was able to send *Hansard* reports took a very great interest in them, and he believed read them. He thought it was a very useful way of educating the people and creating a little more political activity among them. The honorable member for Cheviot had told them that the cost of providing *Hansard* was about 5s., or half what the public were charged for it. The additional numbers of *Hansard* required would entail very little extra cost: for the eighty-eight members it would cost little more than £250. It would be a great convenience to have the additional numbers of *Hansard* for distribution. He was sure that he could advantageously distribute more copies than he did among his constituents.

Mr. SEDDON would support the motion. With the number of copies now allowed he found that he could not send a copy to each locality in the Hokitika District. There were more than that number of literary institutions, and he found that *Hansard* was not forwarded to them. He had sent an application to have *Hansard* furnished to these institutions, and he had been informed that they had not been sent. He certainly thought that honorable members were entitled to have these extra copies given to them for circulation. He did not see any necessity for evincing any false delicacy on the subject. There was no such feeling shown when the question of honorarium was considered. He did not agree with his honorable colleague who stated what had been done in New South Wales and South Australia with regard to the publication of parliamentary debates. He (Mr. Seddon) did not think that the newspapers should have the printing of what was said by the honorable members of that House. If the Wellington newspapers had the printing of the debates it would be found that at one time the reports would be all "grey," and at another time nearly (H)all black. By the publication of debates in New Zealand as at present, by a perfect *Hansard* staff, the public could judge properly of the speeches and actions of their public men. If the work was handed over to the newspapers he was satisfied that the public would not have proper information given to them. If this motion were

Mr. Montgomery

carried, honorable members would not be obliged to take the extra numbers; but he rather thought any feeling of false delicacy would soon vanish, and that honorable members would take their full complement.

Mr. DE LAUTOUR thought the House did not know what was the cost of *Hansard* at present; therefore he would like to state some facts regarding it. Mr. Didsbury stated that at present *Hansard* was sold to the public at 6d. per copy, or 50 per cent. below the actual cost of production. The actual number of *Hansard* subscribers last year was 222, and the amount of revenue derived from the sale of *Hansard* about £111. Last year the actual cost of *Hansard* for printing was £2,922, and for reporting £2,450; therefore the cost of *Hansard* last year was over £5,000. This included the cost of binding. The cost of printing *Hansard* in 1876 was £3,822, and the cost of reporting was £2,150; thus showing that the cost exceeded £5,000. In the intermediate year the total cost was £6,173, a heavy increase. While referring to these figures, he might state that a considerable item in the cost was occasioned by the free revision of speeches. The cost of authors' corrections last year was £202; the year before it was £289; and the year before £276. This was a very serious item in the cost of *Hansard*. With regard to the motion before the House, the real cost was in the number that would have to be issued. An estimate had been formed by the Government Printer as to what these twenty copies would cost. The cost of the extra copies would be £23 9s. each number, and, as there were two numbers published weekly, the extra cost would be £46 18s. Those were the facts as to the cost of *Hansard* publication.

Mr. MURRAY agreed with the honorable member for Akaroa that *Hansard* should be sold at the lowest possible rate to the public. If honorable members wished additional copies of *Hansard* they should buy them. He (Mr. Murray) sent a considerable number away over and above the number allowed him, but he paid for them all.

Mr. SAUNDERS thought the figures given by the honorable member for Mount Ida showed very plainly that they were wasting a great deal of money, and that they were not making the best of that expenditure after they had incurred it. Supposing the additional copies to be issued, the total cost would be about £240. It was a strong case that by the expenditure of £240 they would make more than twice as much use of the expenditure of over £5,000. So far from any extravagance being incurred from what he proposed, it was really making some use of the expenditure of over £5,000. They should either do away with the enormous expenditure of *Hansard* altogether, or they should circulate it as widely as possible throughout the colony and amongst those interested in reading it. The principal and strongest objection to this proposal had come from members who represented towns where every person who felt an interest in the debates could go to the library or literary institute and read *Hansard* for himself. If he (Mr. Saunders) had

twenty copies of *Hansard* to distribute, they could all be distributed twenty-five miles apart from each other. He thought that any person who looked at the matter dispassionately would see at once that what he proposed was a means of education. If it was desirable that *Hansard* should be published, it was also desirable that it should be placed within easy reach of the public who were to be instructed by it. He could see no other use whatever in incurring the expenditure of *Hansard*. If it came to a question of doing away with *Hansard* altogether under their present circumstances, he would vote for it as a great economy and one they should adopt in the present position of the colony; but, so long as they did incur a large expenditure in publishing *Hansard*, they should be in a position to see that the public benefited by it and received proper education under the circumstances. The remarks made with regard to making this a party question came with a particularly good grace from the honorable member for Waitaki, who, as they all knew, never introduced party feeling into any question. He (Mr. Saunders) should have thought it would be one of the last subjects that would be treated as a party question. The honorable gentleman had informed them that afternoon that he was in the habit of looking over honorable gentlemen's shoulders when they were writing, and thus forming his own conclusions—and they were not particularly accurate—of what honorable gentlemen were doing. He did not think an honorable member who could make such a confession to the House without any sense of shame was a gentleman to whom he need devote very much attention. He trusted the House would consider that what he asked was not a piece of extravagance, but a motion in the direction of economy. It was extravagance to publish *Hansard* at all unless it was circulated and made the means of education throughout the country. If it was desirable to maintain *Hansard*, they could take no better means of circulating it judiciously throughout the colony than by placing twenty copies at the disposal of every member of this House, to send to those who would be most interested in its perusal.

Mr. IRELAND did not think the honorable member for Cheviot was accurate in his estimate of the cost of issuing the extra copies of *Hansard*. The honorable member for Mount Ida had stated that the additional cost for each number would be £23 9s., and, as there were two numbers issued weekly, the extra cost would be £46 18s.

Mr. DE LAUTOUR said the increased cost of each number would be £23 9s.

Mr. IRELAND understood the honorable member for Cheviot to say that the additional cost which his motion would entail would be £240. According to the honorable member for Mount Ida, the additional cost for ten weeks would be over £400. He did not know whether, in the present state of the finances generally, it would be wise to incur this extra expense. Honorable members must be pretty well aware that there was a general feeling against the large expenditure which was incurred in connection with the Legislature; and he did not think it

would be a step in the right direction to increase that expenditure in the manner proposed by the honorable member for Cheviot. Seeing that members could obtain copies of *Hansard* for the session for 10s., if they desired to distribute them amongst their constituents, it would not hurt them to pay that sum out of their own pockets.

Question put, "That the words proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	30
Noes	...	...	...	...	23
Majority for	...	...	...	...	8

AYES.

Mr. Bain,
Mr. Barron,
Mr. Bowen,
Mr. Bryce,
Captain Colbeck,
Mr. De Lautour,
Mr. Gisborne,
Mr. Hall,
Mr. Hislop,
Mr. Kelly,
Mr. Macandrew,
Mr. Masters,
Mr. Montgomery,
Mr. Moss,
Mr. Reid,
Mr. Rolleston,

Mr. Sheehan,
Mr. Shrimski,
Mr. Speight,
Mr. Stevens,
Mr. Stewart,
Mr. Sutton,
Mr. Tainui,
Mr. Tawhai,
Major Te Wheore,
Mr. Thomson,
Mr. Tomoana,
Mr. Wright.

Tellers.

Mr. Murray,
Mr. Tole.

NOES.

Mr. Allwright,
Mr. Andrews,
Mr. Ballance,
Mr. Dick,
Mr. J. B. Fisher,
Mr. J. T. Fisher,
Mr. Gibbs,
Mr. Hamlin,
Mr. Ireland,
Mr. London,
Mr. McLean,
Mr. Pitt,

Mr. Pyke,
Mr. Reeves,
Mr. Ballances,
Mr. Seddon,
Mr. Shephard,
Mr. Swanson,
Colonel Trimble,
Major Willis.

Tellers.

Mr. George,
Mr. Turnbull.

The amendment was consequently agreed to.

Mr. HAMLIN thought it would be better to move at once that after the present session *Hansard* should be discontinued. He thought that would meet the views of the House. It appeared to him that they had come to this idea: that the public generally should not know exactly what they were doing and saying within the walls of that House unless they trusted to the reports in the newspapers. Well, he, for one, was quite content to allow the matter to remain in that position—that they should simply trust to the local papers to report their speeches, and that *Hansard* should be discontinued. They were apparently going in for retrenchment, and he would thoroughly indorse that idea. If in order, he would move, That in the opinion of the House *Hansard* should be discontinued after the present session.

Mr. SPEAKER said the amendment would not be in order, as the House had already af-

firmed that the Reporting Debates Committee should report on the matter.

Mr. SHERHAN could not agree with what had fallen from the honorable member for Franklin. He did not think it was desirable to discontinue *Hansard*. The money spent on *Hansard* was very well spent indeed, and through its columns the public were kept informed of the progress of public business in the House in a way in which the newspapers could not afford to keep them informed, although no doubt they did the very best they possibly could. He would like to say, in regard to this proposal to give twenty copies to each member, that he voted for the reference of the matter to the Committee, not in the hope that that body would give effect to the resolution, because, while he was quite prepared to see extra numbers of *Hansard* issued cheaply, he thought the proper way would be to circulate it as much as possible among local societies and bodies in various parts of the colony. What would happen if members received twenty copies each? In a great many instances their particular friends and supporters would get those copies. If they wanted to be liberal at all, let them be liberal with the whole body of the public, and, if possible, secure that every working-men's club, every literary society, and every place of public resort should be supplied with copies of *Hansard*. That, he thought, would be going in the right direction. As to giving members twenty copies, he thought eight copies was a liberal allowance, and that they would not be justified in taking more.

Question put, "That the motion, as amended, be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	35
Noes	...	...	...	...	18
Majority for	...	...	...	...	17

AYES.

Mr. Bain,	Mr. Reid,
Mr. Barron,	Mr. Rolleston,
Mr. Beetham,	Mr. Seddon,
Mr. Bowen,	Mr. Sheehan,
Captain Colbeck,	Mr. Shephard,
Mr. J. B. Fisher,	Mr. Stevens,
Mr. Gibbs,	Mr. Sutton,
Mr. Gisborne,	Mr. Tainui,
Mr. Hall,	Mr. Tawhai,
Mr. Hursthouse,	Major Te Wheoro,
Mr. Kelly,	Mr. Thomson,
Mr. Lundon,	Mr. Tole,
Mr. Macandrew,	Mr. Tomoana,
Mr. Masters,	Colonel Trimble,
Mr. McLean,	Mr. Wright.
Mr. Moss,	<i>Tellers.</i>
Mr. Pitt,	Mr. Murray,
Mr. Reeves,	Mr. Saunders.

NOES.

Mr. Allwright,	Mr. Shrimski,
Mr. Ballance,	Mr. Speight,
Mr. De Lautour,	Mr. Stewart,
Mr. J. T. Fisher,	Mr. Swanson,

Mr. Speaker

Mr. Hamlin,
Mr. Hislop,
Mr. Ireland,
Mr. Levin,
Mr. Montgomery,
Mr. Pyke,

Mr. Turnbull,
Major Willis.

Tellers.

Mr. Andrews,
Mr. George.

The motion, as amended, was consequently agreed to.

ALLEN AND KINGSTREET.

On the motion of Mr. MACANDREW, it was ordered, That the petition of Allen and Kingstreet be referred back to the Public Petitions Committee, with a view to further evidence being taken thereon.

GREY VALLEY PETITION.

Mr. REEVES, in moving the motion standing in his name, said the petition was signed by between three and four thousand people, and contained information which had never before been placed before the House. He hoped, on account of the value of this information, that the House would consent to the printing of the petition.

Motion made, and question put, "That the petition of the inhabitants of Grey Valley, Buller, and Inangahua be printed;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	35
Noes	...	...	...	...	12
Majority for	...	...	...	...	23

AYES.

Mr. Bain,	Mr. Rolleston,
Mr. Ballance,	Mr. Saunders,
Mr. Beetham,	Mr. Seddon,
Mr. Bowen,	Mr. Sheehan,
Mr. Bryce,	Mr. Shephard,
Captain Colbeck,	Mr. Stewart,
Mr. J. B. Fisher,	Mr. Sutton,
Mr. Gisborne,	Mr. Swanson,
Mr. Hall,	Mr. Tainui,
Mr. Levin,	Mr. Tawhai,
Mr. Lundon,	Mr. Tole,
Mr. Masters,	Mr. Tomoana,
Mr. McLean,	Colonel Trimble,
Mr. Montgomery,	Major Willis,
Mr. Murray,	Mr. Wright.
Mr. Pitt,	<i>Tellers.</i>
Mr. Pyke,	Mr. Hursthouse,
Mr. Reid,	Mr. Reeves.

NOES.

Mr. Allwright,	Mr. Kelly,
Mr. Andrews,	Mr. Thomson,
Mr. Barron,	Mr. Turnbull.
Mr. De Lautour,	<i>Tellers.</i>
Mr. J. T. Fisher,	Mr. Hislop,
Mr. George,	Mr. Shrimski.
Mr. Ireland,	

The motion was consequently agreed to.

UNVOTED SALARIES, NATIVE DEPARTMENT.

Mr. SUTTON moved, For a return of all persons who have been employed since 1st January,

1879, on matters connected with the purchase of Native lands, or on any other Native matters, whose salaries have not been voted by this House; showing the amount of salary or allowances paid to each officer since that date, the amounts now due to each, and whether the payments have been made out of loan or general revenue.

The hour of half-past five having arrived, Mr. SPEAKER left the chair.

HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

AWATERE SHEARING RESERVE MANAGEMENT BILL.

Mr. SEYMOUR, in moving the second reading of this Bill, explained that it was proposed under it to use a shearing reserve for the purpose of making a road through the district in which the reserve was situated, so as to connect the district with the main road from Canterbury. If this road were made, the purpose for which the reserve was set aside would no longer exist; and he might add that the parties who had used the reserve in times past were agreed as to the propriety of this Bill. All the necessary notices required by the other Chamber had been given to the parties interested, and the Bill had been drafted by an officer of the Government so that the reserve should be dealt with in accordance with the land laws of the colony.

Mr. KELLY would like to have some information from the Government with respect to this Bill.

Mr. ROLLESTON said he had taken some trouble about the matter, and the Bill had been put in the shape in which it now stood at his (Mr. Rolleston's) instance. There was no doubt that this block of land could, in its present position, serve no good purpose. The original proposal was to hand the land over to the Road Board to deal with; but the Government did not consider it was proper that the Road Board should have power to deal with it independently of the waste land laws of the colony; and the object of the Bill was to enable the land to be dealt with in accordance with the law on the subject of waste lands. The land had been set aside for a certain purpose, and, now that that purpose no longer required to be served, the Government thought it was fair that the proceeds of the land should be utilized for the purpose of making a road, and opening up the country that was originally rendered available in another way by this reserve.

Bill read a second time.

TELEGRAMS FOR ELECTIONEERING PURPOSES.

Mr. MACANDREW.—Sir, before proceeding to the next Order of the day, I wish to call the attention of the House to what I consider to be a very serious question of privilege. Copies of telegrams have this day been laid upon the table of the House. They are telegrams which could not have been found in the pigeon-holes of Ministers; and the only conclusion I can come to, is,

that the Government have got them from the Telegraph Department. Now, I have always understood that the Telegraph Department was sacred, so far as the production of telegrams is concerned, and therefore I think there should be an inquiry to clear up this matter. I think there is a grave constitutional principle involved, because it is most improper that telegrams should be obtained from the Telegraph Office, and laid upon the table of this House, and even published in the newspapers, if it is contrary to law. Therefore I wish to move, That the papers presented to the House to-day, alleged to be copies of certain telegrams concerning the late elections, be withdrawn; and that a Committee be appointed to report to the House whether or not the production of such papers is contrary to law; the names of such Committee to be hereafter given, and such Committee to have power to call for persons and papers; three to form a quorum, and the report to be brought up within ten days.

Mr. HALL.—One would think, from the remarks of the honorable gentleman, that this was the first time this subject had been raised in the House. The honorable gentleman can have paid little attention to the proceedings of the House, even during the present session, or he would have known that upon more than one occasion this very question has been raised. These copies of telegrams were laid upon the table in compliance with a distinct request made by honorable members of the House after due notice had been given, and after the distinct enunciation of the principle that justified that proceeding. The same principle was laid down by a Committee of the House in 1871, on an inquiry into an alleged misuse of the Telegraph Department by the Government. Shortly after the general election it was alleged that the Government had sent, at the public cost, private telegrams relating to election matters. A Committee was appointed, and they unanimously came to this conclusion:—

“The charge of Ministerial misuse of the department resolved itself into a charge of Ministers having franked telegrams which should have been paid for. The Committee examined Ministers in respect to the practice of franking telegrams. It appears, from the evidence given, that during the late elections a few telegrams were franked by Ministers in matters relating to the elections. For the future, the Committee recommend that such telegrams should be considered of a private nature.”

Mr. GISBORNE.—I should like to ask why the honorable gentleman laid the telegrams on the table.

Mr. HALL.—Because they are not telegrams of a private nature, and are paid for by the public. If it can be shown that any of those laid on the table were paid for, they will be withdrawn. For what purpose is the right of franking telegrams given to the Government of the day? Is it given to enable them to carry on their private correspondence? Certainly not. It is to enable them to carry on the public service, and not in any way to influence elections. That was clearly laid down by the report from which I have quoted,

and which was indorsed by the House. After that, whatever telegrams were sent at public cost must be considered to be on the public service, and to be public property. That was the doctrine which was laid down in that report. I referred to this subject in moving the motion of want of confidence in the late Government; and what was the answer? Was it denied that such telegrams were public property? No. One Minister after another got up and said he had not sent such telegrams. They did not deny that they were public property. I asserted then, and I assert now, that they are public property. I say that any Government correspondence is public property. If the House chooses to call for it, the House has a perfect right to do so. A telegram paid for by a private individual is private, and ought not to be taken out of the telegraph office, except by the process laid down by Act; but a public telegram is the property of the Government for the time being, and there is no justification whatever for making the public pay for a telegram which is not public property. This is a principle which was not at all disputed when, in answer to the honorable member for Cheviot, the Government said they would lay these telegrams on the table. If the honorable member for Port Chalmers thought it improper, then he should have given notice that these telegrams should not be produced; but he did not do so. To depart from the doctrine that telegrams paid for at the public expense are public property, would be to open the door to the grossest possible abuse. It would confer an enormous advantage in electioneering times on the party in power. I contend that, in using the telegraph for electioneering purposes, the late Government were guilty of the grossest abuse; and it is only right that the country should know the extent to which the Government have thus abused their power. That is the reason why we thought it our duty, not suddenly or without warning, to lay these telegrams on the table; and I contend that it was perfectly right and proper to do so. My attention has been called to one which the honorable gentleman said was sent as private; but I have seen it since in this office—

An Hon. MEMBER.—What office?

Mr. HALL.—And it is marked as a Government telegram. I have directed it to be traced back to its source; and, of course, if it is found to have been given in, in the first instance, as a private telegram, it will be withdrawn. I trust the House will not adopt the motion of the leader of the Opposition, because I contend that the Government have, after full warning in this House, done what is strictly right and proper.

Sir G. GREY.—I do not think the reasoning of the Hon. the Premier will for one moment stand. I cannot conceive, Sir, how the honorable gentleman could delude himself by believing that the argument he has followed is one that is really rational. I apprehend the fact is this: that the mere inspection of a telegram will show whether it is of a private nature or not. Now, Sir, Ministers' telegrams are sent in this way, I believe, as a general rule: The discretion is intrusted to

their private secretaries whether they are to be franked or not.

Mr. HALL.—Oh!

Sir G. GREY.—The honorable gentleman shakes his head. I can only solemnly declare that that was my practice throughout, and I believe that is the general practice; and it depends on the discretion of his private secretary, and not on the Minister himself, to say whether a telegram should be sent as a public telegram or not. Now, I say that, if it is found that Government telegrams have been sent on a subject on which private telegrams should be sent, the proper course would be to call upon the Minister to pay for them. The law does not say that if, upon the mistake of any person, a private telegram is franked, that telegram is to be made public. Such a law would be a shocking law, a barbarous law, and a disgrace to civilization; and to establish that rule is a very wrong thing. The fair thing is this: that, if telegrams are found unpaid for which relate to something which is clearly private, then the person who sent them as public instead of private should be made to pay the money to the Government. The law gives you no right to publish his telegram and lay it on the table. I am certain that the argument I am using will commend itself to every rational mind. In my own case, I am told a telegram of mine which is clearly a private telegram has been laid on the table. If such a thing has been done it is a most shameful act. I ask that private secretaries should be examined, and state whether they did not determine how telegrams were to be sent. If a mistake was made it was on their part, for they have been asked to give the doubt, if any arose, against myself. I think it will be found that other Ministers did the same thing; but carelessness on the part of other persons is not a fair reason for laying telegrams on the table of this House. This is part of the system which has been pursued during the present session, and a very unfair system it is. All public documents have been taken from under the control of the House. The rule has been laid down that some follower of the Government should get up and ask that certain papers should be laid on the table. No motion is made, and those papers may be of a kind to create a most unfair impression. For instance, yesterday, I am told, a paper was laid on the table which showed the sums paid for advertising. The public can form no judgment from a single document of that kind. If the returns were made extending over two years before the late Government came into office, and it were contrasted with what took place when the late Government were in office, then justice would have been done; but evidently there was an intention to create an unfavourable impression on the public mind by laying upon the table a document which afforded no means of comparison. The same thing was done to myself the other day. A question was put by the honorable member for Cheviot to a Minister which ought to have been put to myself, according to every rule of justice in the world, and I was shut out from any opportunity of replying. I say that was a most

Mr. Hall

unfair proceeding. But several proceedings of the same nature have taken place in the House. The merely personal aspect of the matter I do not care much about, but what I do care about is the breach of the privileges of this House, and of the rights of honorable members: it would be possible to destroy any public man's character by a series of transactions of that kind. It is absolutely unfair, in quoting a speech made by a member, to refer to an act performed by him as Treasurer, and put the question to the Minister of the day—not to the honorable gentleman whose honor is at stake, and who is most interested in the matter. This rule ought to be reverted to: that this House keeps the papers under its own control, and determines what papers should be laid on the table and what not, and in what form they should be laid on the table. For instance, if an opportunity had been allowed me, with regard to this paper about advertising, I should have immediately risen and asked that the return should be made to extend over a fair period of time. That privilege was taken away from me by its being made a question and reply, and upon a question, by the rules of Parliament, no discussion is allowed. I do hope that honorable gentlemen will agree to this Committee, in order that a fair inquiry may take place into all the circumstances. I am really and absolutely astounded at the course which has been pursued. Contrast it with the course pursued the other day. There was a question of entering into a compact with four Auckland members—it was absolutely a written compact; and how did the Government manage? They so managed that the House could not get it unless a special law was passed. I say that a most unfair thing was done in that instance. And what did they do to delude the House? Knowing that no other correspondence did take place, knowing that the only document was in the possession of one of the members, that it was signed by one Minister, they bring down a return in this House, and they call upon an under secretary to certify that there was no correspondence on the subject in his office. Sir, it was an evasion; it was not an honorable evasion; it was an evasion of which any Government ought to be ashamed; and I say that this transaction of treating a telegram of mine as public, and laying it on the table because of an oversight made by my private secretary, was an equally dishonorable act, and one unfair to myself; and I trust the House will insist on this Committee being allowed to sit, and a full inquiry being made into the circumstances of the case.

Mr. MONTGOMERY.—I wish to ask the Premier who gave orders for these back files to be searched at the Telegraph Office, and who discovered which were public telegrams and which private.

Mr. HALL.—With the indulgence of the House, I will answer the honorable gentleman. In the speech in which I moved the vote of no confidence in the late Government, I stated that it was asserted that the telegraph had been freely used by Ministers, at the public expense, for electioneering purposes. One Minister after another denied that—

Sir G. GREY.—The honorable gentleman should not say that it was used by Ministers, for I deny that I used it.

Mr. HALL.—The honorable gentleman did not hear me. I said it was asserted that Ministers had used the telegraph for that purpose. I did not say that the honorable gentleman used it. However, one member of the late Government after another denied the assertion. Subsequently, in consequence of a telegram sent by a Minister to Mr. Ingles, at Kaikoura, having been published, the question arose whether that telegram was sent at the public expense or not. Then the honorable member for Cheviot asked that any telegrams of that kind sent at the public expense might be produced. It became my duty to ascertain whether the late Government had sent, as Government telegrams, telegrams for electioneering purposes. I instructed the department to report to me whether that was the case or not, and they reported that it was. I then said that it would be the duty of the Government to produce those telegrams.

Mr. MONTGOMERY.—Assuming they were public documents.

Mr. HALL.—The honorable gentleman states exactly what was meant—telegrams sent by the Government, at the public expense, for electioneering purposes. Those I promised to produce, and those I have produced.

An Hon. MEMBER.—No, no.

Mr. HALL.—A mere cry of contradiction of that kind is no answer. The honorable member must give some better proof that I am incorrect. That was what I promised at the time, and that is what I have given effect to. If any honorable gentleman doubted the propriety or regularity of the course we undertook to adopt, he should have said so then, and not have waited all this time. It is now nearly three weeks since the promise was made, and no honorable member has since questioned the regularity or justice of the proceeding. That is my answer to the statement of the honorable member for Akaroa.

Mr. MONTGOMERY.—I was under the impression that the Government would have been able to produce copies of those telegrams from the copies kept in the office, as I understood that copies would be kept as official documents. What I wish to say, in a few words, is this: that a telegram should be an entirely secret matter, as secret as a letter; and I do not think any Minister should order the Telegraph Department to produce telegrams, without the order of the House. Even then it would be a very dangerous course for the House to adopt; but certainly it should not be taken until after full discussion, and the message should not be produced until the order of the House had been given. I question whether even then the telegrams should be obtained through the Minister, and not through the Speaker, as one of the officers of the House. I think this Committee should be appointed, not as a party Committee, nor for party purposes, but in order to ascertain if the course adopted by Ministers has been regular and right, or that an error has been committed which should not be committed again. I shall therefore vote for the appointment of this

Committee, and hope the Ministry will not object to it, and I do not see why they should, because it may be productive of great good, and certainly can do no harm.

Mr. GISBORNE.—The report which the Premier himself quotes shows that his conduct is not justified. The report of the Telegraph Committee, if I recollect it rightly, says electioneering telegrams should be treated as private telegrams; but the honorable gentleman has not treated them so, and has placed them upon the table, as if they were public documents. The proper course for him to have pursued was to have called upon the Minister who sent them to pay for them; but—instead of giving the Minister an opportunity of doing that, seeing they were sent at the public expense either through an oversight or through the neglect of a private secretary—the Premier brings them down and places them upon the table as if they were public documents. A follower of the Government asks whether the Premier will lay these papers on the table, the Minister promises that he will, and there is no debate, nor could there have been any debate, upon the subject.

Mr. HALL.—I laid them upon the table by leave of the House.

Mr. GISBORNE.—We did not know what telegrams you were laying upon the table. You come up suddenly and place some documents upon the table; and we did not know when leave was asked, nor what for.

Mr. HALL.—If my honorable friend will read the report of the Committee, he will see that the Committee reported that Government telegrams for electioneering purposes, sent as public telegrams, are public documents. I promised that any such should be laid on the table; I laid them there by leave of the House, and—to show that honorable members knew what they were—the leader of the Opposition immediately came up and began to read them.

Mr. GISBORNE.—My contention is that, when the honorable gentleman found that some telegrams of a private nature were treated as public documents, it was his duty to call upon the sender to pay for them, and to treat them as private telegrams. Instead of that, he, with leave of the House, given by surprise, lays them on the table. And then we find that not only are these telegrams treated as public, but it has actually been asserted that private telegrams which were paid for have been included amongst them. Under those circumstances, I think the Government cannot object to a Committee of inquiry. I must protest against this most improper mode of throwing dirt upon public men and trying to bring them into disrepute by having questions asked by a member of a party in order to be answered by a Minister from that party, and that without giving the person attacked any opportunity of saying a word in his defence. I could quite agree to a motion being placed on the Order Paper and an opportunity for debate being given; but I say it is not English, it is not fair, it is not justifiable, to have a hostile question put and have hostile answers given, whilst the person against whom the accusations are made has his

tongue tied and cannot say a word. I hope, under these circumstances, even though the honorable gentleman says he was justified in placing these telegrams on the table, he will not resist the motion for inquiry, seeing that it is asserted that the telegrams produced include some that were paid for.

Mr. STEWART.—I rise to address myself to this question, and I desire to do so apart altogether from anything like party feeling, for, I submit, the question involved at present is one of paramount importance. It is one to which I desired to refer early in the afternoon, and one in regard to which I am convinced the Premier is satisfied his course of action was wrong. The justification put forth by the Government for the course they have adopted is this: They say it was in consequence of a request made by some member of the House that these telegrams were placed upon the table. Now, what was that request? It was this: "Whether the late Ministry have sent telegrams on electioneering subjects as public telegrams; and, if so, whether the Government will lay copies of such telegrams before this House?" That question obviously referred to telegrams sent by the Government, as a Government, in reference to the elections which were then being contested. But what do we find? We find produced on the table of the House not merely telegrams sent by members of the Government, but replies received by them. We find replies sent by different gentlemen from various parts of the country to members of the Government, and some of these were paid for by the gentlemen who sent them. And yet these, too, are placed on the table. For instance, there is the honorable member for Buller, Mr. Fisher. We find here copies of telegrams sent by him—not in answer to any telegrams sent to him from Wellington, but which he voluntarily sent, and which he paid for. They have been deliberately laid on the table; and I say the question put to the Government affords no justification for such a course. Now, how have these telegrams been discovered? The only explanation one can find is, that some general commission has been given by the Government of the day to the Telegraph Department to ferret out all telegrams whatever that had any relation to the elections.

Mr. HALL.—That is not correct.

Mr. STEWART.—It may not be correct; but that is the only explanation we outsiders can give of the action of the Government. The question of the honorable member for Cheviot referred to telegrams sent by the Government; but we have here replies sent by outside gentlemen. I think the honorable gentleman will admit that a mistake has been made in that respect.

Mr. HALL.—If any such telegram was paid for, of course that is a mistake; but any telegram sent by an individual, to be paid for at the public expense, would be included.

Mr. STEWART.—I believe the sole justification of the Premier for the course he took was that he was complying with the request of an honorable gentleman that he would lay on the table copies of telegrams sent by the late Government on electioneering subjects as public tele-

Mr. Montgomery

grams—not telegrams received by that Government. But there are telegrams here sent by several gentlemen—one in Collingwood, one on the West Coast, and one, I think, in Hawke's Bay: at all events, there are several from different parts of the country, not sent by the Ministry in any way, but by outside gentlemen; and, because they referred to the contest then going on, the Telegraph Department, in accordance with the order of the Government, absolutely sent them in, and they were laid on the table. The Premier shakes his head; but I do not know what for. There was one remark of that honorable gentleman which struck me very forcibly. He said that since the adjournment he had seen the original telegram in this office. In what office?

Mr. HALL.—It is most inconvenient to be called upon every minute to answer questions put in this way.

Mr. STEWART.—I understood you to say, "Since the adjournment I have seen the original telegram in this office"?

Major ATKINSON.—I rise to a point of order. If the honorable member will address you, Sir, it will be more in order.

Mr. STEWART.—I shall have great pleasure in addressing you, Sir, but the Premier will be good enough to understand that I am indirectly addressing him. I should like to know very much what office the honorable member referred to when he said he saw the original telegram in "this office." If any member of the Ministry could go into the telegraph office and look at original telegrams—

Mr. HALL.—I never did. I was never near the office.

Mr. STEWART.—Then the Premier has evidently been speaking in peculiar language—in oracular language—which is not intelligible to honorable members. The words used by the Premier could have no other reasonable meaning than that he saw the original telegram somewhere where he had no right to see it. If that were the case, how does the Premier justify his conduct? He apparently admits that he has done something which is open to very serious objection, and of which, apparently, he does not seem ashamed. Are we to assume that the Government of the day, at the request of any honorable member, is to have a sort of roving commission to enter any telegraph or other office and inspect private original telegrams, and violate those principles which have been laid down by the Legislature of the country for the purpose of protecting the Telegraph Department against what might be termed the "spy system"? No doubt the Government, upon mature reflection, will admit that a serious mistake has been made in this instance. If they make that admission, I have no doubt that the House will be inclined to treat them generously; but if they take the stand that because they are in office they are entitled, as a matter of right, to exercise a power of this kind over their subordinates—who have taken a solemn oath not to disclose the secrets of the department—there will be an end to anything like secrecy, or anything like fair dealing,

and the Government will be exercising not only a very unfair, but a most improper and unjust, influence over their subordinates in that department. I believe I am right in saying that the head of the Telegraph Department, if not the other officers, has taken a solemn oath not to divulge the business that passes under their eyes—not to disclose any of those secrets which the public believe will be protected from the public gaze. If the Government exercise the power of making those gentlemen violate their solemn oaths, they are doing something which I hope the House will not sanction. The Premier apparently admits that he did this. The honorable gentleman is laughing now, and it is very difficult to know whether he is assenting or dissenting. At all events, we know that the Premier has got hold of some telegrams in an unjustifiable way, which must necessarily have involved a violation of the solemn oaths which those officials took, and which, I am quite sure, reflects very seriously on the proper administration of the department. If such a thing be permitted, the public will have no confidence whatever in the administration of the department. They will not only look at the department with the greatest distrust and suspicion, but they will also not be inclined to avail themselves of the facilities afforded for carrying on business through that department. I think the Government will not seriously resist this motion. It will save a great deal of discussion, and proper inquiry will be made, which will bring about justice to all the parties concerned. At present there are placed on the table of the House telegrams which, I believe the Premier himself will candidly admit, ought not to be placed there. Whether they were placed there by mistake or not is not the question; but that they were placed there improperly, and in such a way as to seriously affect the gentlemen who sent them, will be admitted. I believe the honorable gentleman who did send those telegrams is not ashamed of anything said in them; but it is the principle I contend for, and it is a principle which I submit this House should independently assert. Although some little difference of opinion may arise as to details, I hope the House will not lose sight of the very broad principle which we ought to assert, and which I hope this House will sanction.

Mr. SHEEHAN.—Sir, I do not rise for the purpose of speaking to the question, but to ask you to direct the Clerk to read the question of the honorable member for Cheviot, to which this purports to be the answer.

The CLERK read the question, as follows: "Whether the late Ministry have sent telegrams on electioneering subjects as public telegrams; and, if so, whether the Government will lay copies of such telegrams before this House?"

Mr. SAUNDERS.—This debate is to me extremely amusing, and will, upon the whole, be extremely instructive. It is very remarkable that the same gentlemen who, only a few days ago, were so extremely anxious that a private paper, held by a private member of the House, should be laid on the table of the House, although it was written with not the slightest intention of being

made public, which had never cost the public a penny, and which the public never had a claim to in any way whatever, are now the very persons who tell us that public documents, paid for with public money—used for party purposes, and paid for out of the public purse—are of such an extremely private and confidential character that the Government ought to be ashamed to lay them on the table of the House, even at the request of a gentleman who has been abused and injured by those telegrams at the public expense. This is entirely a new doctrine. If those honorable gentlemen could only look at things in the same light when they affected themselves as when they affected other persons, they would act with very much more propriety in this House. We were told by two speakers to-night that, if the Government found that these telegrams were private, but nevertheless had been paid for out of the public funds—had been sent through the public offices, and had all the advantages which the then Government had at its command—the punishment that should be inflicted should be the punishment of asking them to pay for those telegrams. That is exactly the same as if those honorable gentlemen had laid down the doctrine that, if a thief happened to be found out, all he should be called upon to do was to be compelled to pay for what he had stolen. The very telegram which led to a suspicion that there were telegrams of this kind in existence, is a telegram that made every member of this House believe that there were many more of the same sort. The course that has now been adopted has, I dare say, produced a few more of the same sort; but, after all, I am quite certain that every member will know that, according to the common doctrine of probabilities, it is very certain that a vast number of telegrams have been sent by the late Government, and a vast number of public opportunities taken, for the purpose of promoting party and private purposes during the late elections. We know how extremely anxious the late Government were that those elections should be conducted under their own auspices, and that the electors should be called upon to express their opinions at a time when the public wires were actually at the command of the Ministry of the day. I think it is as little punishment as could possibly be expected to come upon those gentlemen that, by a process of this kind, we happen to produce a few telegrams which they have sent in this improper way. No gentleman of high principle would have used the public offices and public wires for the purpose of promoting their own private and party interests. The honorable member for the Thames has taken this opportunity, as he has taken others, to state that what appeared on the Order Paper some time ago with reference to what he himself said at Christchurch gave him no opportunity to put himself in the right with regard to that matter. Now, the honorable gentleman has had many opportunities of putting himself in the right in regard to that accusation. Lest he should say so again, I wish to say to-night most explicitly what I previously stated in this House, that the honorable gentleman distinctly told the electors of

Mr. Saunders

Christchurch, addressing them at a time when he was both Colonial Treasurer and Premier of the colony, that he had made ample provision for the payment of £100,000 which had been improperly taken from the Canterbury District. I mean to say, in addition to that, so that the honorable gentleman shall have an opportunity of contradicting—

Mr. HISLOP.—I rise to a point of order. Has the honorable member any right to refer either to a former debate or to a matter which is not under discussion?

Mr. SPEAKER.—I understand the honorable member is replying to certain remarks made by a previous speaker.

Mr. SAUNDERS.—The honorable member for Waitaki seems to think that his special province is to interrupt honorable gentlemen speaking in this House. I suppose that, in the absence of any better case, these are the best tactics he could adopt; but I do not think they will suit his purpose very well on the present occasion. I have no wish whatever to make those statements, or to put them on the Paper, or to ask any question in reference to them, in such a way that the honorable member for the Thames shall not have ample opportunity to reply to any accusations I have made against him on that subject. Whilst doing that, I trust he will also explain why he told the electors of Christchurch so distinctly that he did not approve of the manner in which the honorarium was placed before the House at a time when he himself brought it down and placed it before the House.

Mr. SPEAKER.—The honorable member is out of order in referring to that matter.

Mr. SAUNDERS.—The honorable member for the Thames has made complaint that he had not an opportunity of refuting statements of this kind. I should be too glad myself if he were able to refute them, or to show us in any way that assertions of this kind, made by one who has held so many important positions in this colony, were not made without some foundation of truth. If the honorable gentleman is in a position to satisfy the House on that question, honorable members will be exceedingly glad. I have nothing more to say upon this subject; but I do trust that the honorable gentlemen who have spoken so warmly against the production of these telegrams will endeavour to explain their speeches when they considered it highly proper to insist upon the production of papers which were not in the slightest degree of a public character. I entirely agree in the desirability of private telegrams being treated as private matters. I am certain that this House would unanimously resist any attempt to produce private telegrams as public matters, or interfere in any way with the necessary secrecy of the department. But when telegrams are sent as public telegrams, at the public expense, it is the duty of the House to call for their production—that any Minister who makes public use of the public wires for the purpose of promoting party objects may feel that this is a penalty which he may at any time be called upon to pay to the House. I trust, in the interest of the purity of our Go-

vernment, and in the interest of decorum with regard to the use which a man in a public department may make of the advantages placed at his disposal, that the House will insist upon these telegrams being placed on the table, and that we shall have an opportunity of seeing them. Although I called for the production of these telegrams, honorable members in the Opposition were so exceedingly quick in picking those telegrams up that I have not been able to see them.

Mr. HISLOP.—The honorable gentleman who has just sat down seems determined to justify the position he has taken up in this House of laying down moral lessons to honorable members by misrepresenting almost everything which he speaks about. The last statement he has made is a complete misrepresentation of the fact. Why, honorable members were smiling at the honorable member for Waikouaiti and the honorable member for Napier (Mr. Sutton) on account of the glee with which they looked over these telegrams for half-hours together this afternoon. No doubt they were gratifying the high taste which they have cultivated in this House for high literature, and for that which is likely to elevate the character of the House. Another matter which he has misrepresented is this—and he has been a party to the whole of this transaction: On the 30th of October he asked that certain telegrams sent by the late Ministry might be produced to this House. He does not frame his question with the view of letting this House know that, in addition to telegrams which had been sent by the Ministry, telegrams sent by other persons to the Ministry would also have to be produced. The Premier had evidently been conferring with the honorable member for Cheviot, and—with that artfulness of which he has shown himself to be so much a master—he came up to the table this afternoon and, in a lisping, gentle voice, said he had certain papers to lay on the table. He did not speak in a tone so as to be heard by honorable members, and the first intimation which we had of the telegrams being on the table was the glow of satisfaction on the faces of honorable members on the other side of the House, who had been told that they were there, and were reading them. I do not envy the desire which seems to be entertained by honorable members on that side of the House to throw as much dirt as possible upon those on the Opposition side. Surely they must know that if they take up that line it is not likely to elevate either side. If we go in for degrading the character of our political opponents, we shall find that our characters will depreciate in public estimation. I am glad to hear the honorable member for Geraldine approve of this statement. I believe it is a lesson which he ought to lay to heart. I believe the honorable member is capable of progress and amendment in that direction, and if he lays that lesson to heart we shall find him an ornament to the House, instead of occupying the very peculiar position which he now occupies. With regard to these telegrams, I have had the pleasure of looking over some of them, and I can tell the honorable member for Cheviot that when he reads them he will not be

gratified by finding the name of the honorable member for the Thames on any of the telegrams except one. So that gratification will be denied him. There is a matter of which we have reason to complain. Among these telegrams there are telegrams which one honorable member tells us he paid for himself. There are other telegrams which, I believe, after what the honorable gentleman has said, it will turn out were also paid for by him. I think the rule which ought to be followed by a Government which does not wish to deceive the House by quietly laying on the table papers which the House would not sanction, is to abide closely by the question asked, and the order made by the House. Now, the order of the House has not been obeyed, as telegrams have been produced which ought not to be produced. That is a sufficient *prima facie* case for sending this matter to a Committee for inquiry. I hope the House will come to a decision on the matter, so that we may not have the whole evening wasted over this discussion. I hope honorable members on this side of the House, for the purpose of supporting the character of honorable members, will see their way to support the motion before the House.

Mr. MCLEAN.—I should not object to this Committee if it were not that the public would lose the good reading which the honorable gentleman has stated I was exulting over this afternoon. I did enjoy a little of that reading, and I think it would be a pity the public should not share in the pleasure. Those who were in the House in 1871 will easily understand why these telegrams should be placed upon the table and why they should be made public. In 1871 the very same thing happened in this House, and the matter was made public; and why should it not be made public in 1879? I say that it is necessary to make these matters public in order to keep the Government pure, and in order to prevent them from interfering, as the late Government did, in elections. The telegrams disclose this fact: that one Minister told another that he should throw the blame upon him, and, if necessary, he would pitch him overboard. This is very nice reading for the public, and will show how the elections have been carried on. I was bitterly opposed to the production of any private telegrams, or anything, apparently private; but I hold that all these telegrams are public property. They have been paid for by public money, and the public are entitled to see them. Honorable gentlemen think that by this Committee they will hide these telegrams. The reason why they propose this Committee is that these telegrams may be burked—that they may not be shown to the public—that they may be hidden, and that those honorable gentlemen may get rid of the blame attached to them for using the wires in the manner they have done in sending these telegrams. The House would not be doing its duty by burking these telegrams by appointing a Committee, and I hope, under such circumstances, honorable members will not vote for the motion. The honorable member for the Thames has stated that, if any telegrams were found to be private, the persons sending them should be called on to

pay for them. I would ask, who is to call on them to pay for them? Is it likely that the officers of their own department would call on them to pay for them? If Ministers franked these telegrams, it is perfectly understood that they are public telegrams—open to the public, as paid for out of the public money. The honorable member for Cheviot put the matter very well when he said that, if a man stole anything and he was caught, it would not be sufficient to ask him to pay for it. It has been stated that a mistake has been made in one of the telegrams sent by the late Postmaster-General. That honorable gentleman says it was a public telegram on public business, and that a mistake was made in the words "Fancy I am all right." If there is a dispute as to whether that is a private or a public telegram, I have no objection whatever to give the honorable gentleman the benefit of the doubt. I say, Let these telegrams go forth to the public, and give the public the benefit of them. I can assure the honorable member for Waitaki that I enjoyed the reading of these telegrams very much. I am not ashamed to say that I read them. I generally look at everything that is laid on the table. There has been nothing laid on the table that I thought more of than the telegrams I have referred to. Large as that packet of telegrams appears to be, I do not believe a quarter of them are there. Ministers were travelling in all parts of the colony, and I saw no telegrams amongst those produced which were sent by Ministers from other places. Therefore I take it that Dunedin, Christchurch, Auckland, and other places would have to be ransacked before all these telegrams could be obtained, and I am satisfied that when they were all collected there would be three times the number that have been laid on the table this evening. During the last election I could not understand why, in a portion of my district which was supposed to be rather against me, I should have been favoured with two polling-places situated close together. I could not understand at the time why such kindness was shown to me. But when these telegrams were placed on the table I discovered that my dear and honorable friend the member for Port Chalmers had sent a telegram, marked "Very urgent," ordering these polling-places to be appointed. If I had known that the honorable gentleman was going to move in that direction, I should have asked him to appoint some other polling-places, which were very necessary, in order to save the electors in one portion of the district from travelling a long distance to record their votes. If the honorable gentleman had wished to do me a kindness, he might have gone a little further. However, I am thankful for the favours which the late Ministry bestowed upon me. I am thankful that the Premier should have come to help me with my constituents, and that the honorable gentleman should have sent so many telegrams. I cannot say whether they were public or private: they were found pretty well over my district, and letters too; but I never took the trouble to see whether they were Government telegrams, or whether they were paid for. Special affection was also shown to the honorable member for

Mr. McLean

Cheviot in regard to these telegrams; and my honorable friend the member for the Thames (Mr. Sheehan) appears to have gone pretty well wholesale into this matter.

Mr. STEWART.—I rise to a point of order, Sir. The question, I apprehend, is this: Whether or not the contents of those telegrams should be disclosed to the public. The honorable gentleman is retailing them in his speech for the benefit of the public, and frustrating the very object which the motion has in view. If every member who has read the telegrams is to be at liberty to blurt them out in this way, I apprehend the appointment of a Committee will be useless.

Mr. SPEAKER.—It is not in my power to close the honorable member's mouth, or to prevent him from referring to the telegrams which he read when they were on the table of the House. At present they are in my possession, where they will remain until the question now under consideration is disposed of. I cannot prevent the honorable gentleman disclosing any information he may have obtained from perusing the telegrams while they were upon the table of the House, and open to him to make use of.

Mr. TOLE.—Do I understand, Sir, that you have the telegrams impounded in your custody?

Mr. SPEAKER.—I have got them on my desk.

Mr. TOLE.—Then what right has the honorable member to disclose their contents, if they are not before the House?

Mr. SPEAKER.—The honorable member states that while they were on the table he had an opportunity of referring to them. I cannot prevent honorable members using information thus obtained.

Mr. HAMLIN.—I understood the Premier just now to say that he asked the House to consent to those papers being laid on the table. If he did make that request, then I presume you, Sir, at once asked the House to agree to it. I contend, therefore, that those papers must be laid on the table, and that, consequently, it must be open to every member of this House to look at them. The Premier stated just now that he had asked that the papers might be laid on the table. I confess I did not hear him ask the question, but I presume he has stated the fact.

Mr. SPEAKER.—They were laid on the table in the ordinary form. A member of the House has now made a proposition that they should be withdrawn, and I hold them until the House decides that question.

Mr. MOSS.—I have endeavoured to read those papers, because it seems to me a wonderful—

Mr. SPEAKER.—Is the honorable member speaking to the point of order?

Mr. MOSS.—Yes, Sir;—and I was astonished to hear that I was not allowed to look at them. I saw the honorable member for Napier (Mr. Sutton) absolutely taking a copy of them, and he has telegraphed the contents of some of them. They were taken from him when he was in the act of doing so, and while I was sitting at his side: but I have not been allowed to see them since; and I ask you, Sir, whether I had not a right to see those papers as well as other members of this House.

Mr. GISBORNE.—I wish to speak to the same point of order—

Mr. SPEAKER.—I have already decided the point two or three times: unless the honorable member for Totara can put another phase on the point of order, I cannot entertain it.

Mr. GISBORNE.—I am going to put it in this phase: As a member of this House, I have a right to look at papers laid on the table. Because some member or other has chosen to say he wishes those papers to be withdrawn, I am not to be precluded from the enjoyment of that right. And now I find that some honorable member—I say this without any personal interest—

Mr. SPEAKER.—That is the same question. I have decided it three times already.

Mr. GISBORNE.—I ask you now whether you decide that no member of this House can now look at those papers, while another member—

Mr. SPEAKER.—I have given a decision on that point three times.

Mr. MOSS.—I apprehend, Sir, it is still open to any honorable member to protest, in most respectful language, against such decision, because, although I should be perfectly ready to obey it, yet—

Hon. MEMBERS.—Chair.

Mr. MOSS.—I ask you, Sir, whether I have not a right to say—

Mr. SPEAKER.—I do not think you have. I am intrusted with a certain discretion in matters of this kind. The House is discussing the question of whether these papers shall be withdrawn or not. Until the House decides that, I do not think any honorable member has a right to demand that these papers should be delivered out of my custody.

Mr. MOSS.—I will not dispute what you have said for one moment, Sir, but I wish to call your attention to the fact that it was before the House raised any question—before the House rose at half-past five o'clock this afternoon—that I was refused access to these papers. They were not then in your possession, but in the possession of the honorable member for Napier. I wish to report that to you, Sir: it is the ground upon which I complain.

Mr. SPEAKER.—You could not expect to take the papers out of the hands of another member when he was reading them.

Mr. MOSS.—But I was refused on your authority. The Clerk—

Mr. SPEAKER.—I gave no order with regard to withholding these papers at all until half-past five o'clock. Since then I have held them, and shall keep possession of them until the House decides what is to be done. The honorable member for Waikouaiti may proceed.

Mr. McLEAN.—The truth is this: The honorable member for Napier had these telegrams, and I saw what he was reading. I went and sat down beside him, and got a glance at them. I am sorry to say I saw but very little of them, and I have only repeated the contents of one or two. If, however, what I saw is a fair sample, I should like to read them all. I must say that it is very unfair of the honorable member for Parnell to object to this, because I heard him make a solemn

bargain with the honorable member for Napier that he was to have the next reading of them. It was really very unfair of the honorable member to make the objection he did, because, as I had a share in the perusal of these papers, I thought it was hardly just for the honorable member for Napier to make a bargain that when he was done with them he should take them away from me, and hand them over to the honorable member for Parnell. However, I was willing to give way to the honorable member, knowing that I should see them some time or other. Having seen a few of them, I think it would be too bad that these telegrams, which are public property, paid for out of the public purse, should be buried, and the public denied a treat such as I believe they have not had for a long time. It is our duty to have these telegrams laid on the table, and to decide that in future all things that pass between Ministers and the people, paid for out of the public money, shall be accessible to the public. If we take that stand now, it will be found in future that Ministers will be very chary of interfering at elections, and sending telegrams at the public expense.

Mr. TURNBULL.—I shall support the appointment of this Committee for one or two reasons. In the first place it appears to me that the whole system of the department requires inquiring into. There must be a peculiar system adopted in carrying on this department. An inquiry into how the accounts are kept as presented to the House; how the receipts are made up; whether the accounts are kept the same as in the Railway Department; and whether every message that is forwarded by the Government is a matter of account or is simply bundled into the office without any record being kept—an inquiry of this sort is to some extent involved in this matter. That is one reason why I think it is very important that we should know how this department is carried on. We know it is carried on at a great loss to the country—that is very certain; and this is one reason why we should appoint the Committee. There is also another important reason. The honorable member for the Thames (Sir G. Grey) declared in this House that no telegram of his could be found which had not been paid for. Now it appears, unfortunately, that there is one, and I believe that it is the only telegram of his in the whole lot; and I appeal to the Government, as a matter of generosity, to give him the opportunity for which he asks to account for that telegram. When an honorable member stands up in the House and makes a statement, as the honorable gentleman did, he should have the fullest opportunity of putting himself right with the House. There is another most important question to my mind, and that is this: How far private individuals may be deluded into sending telegrams which may afterwards be made public. The Government sends a member of the House a telegram, and asks for a reply, which is forwarded, and eventually it is found that, irrespective of its contents, it is laid on the table of the House. This is a most objectionable proceeding. Any member of this House may be entrapped. I admit that anything which the

public pay for is public property, and I think the members who have been sending these free telegrams have been doing a very mean thing. If a man wishes to carry out his own views, public or private, let him put his hand into his pocket, if it is to get *Hansards* or to send telegrams. It is just about the same in both cases—it is equally a mean trick. As far as I have been able to gather from honorable members who have spoken, some telegrams in reply from private members are amongst those which have been produced, and I think it would be very objectionable to lay those on the table, because members have been led into sending these telegrams in perfect good faith as private telegrams.

Mr. SHEEHAN.—It would be impossible for me to allow this discussion to come to a conclusion without saying a few words, because I understand I am the largest contributor to the number of these telegrams. Sir, there must be something very entertaining in the matter, or it would be impossible for the honorable member for Waikouaiti to smile all over his face as he has smiled to-night. When he was speaking his face assumed that Mephistopheles appearance which it always assumes when he thinks he sees a chance of dragging some member of the side to which he is opposed through the gutter. I saw him reading the telegrams this afternoon, with the honorable member for Napier (Mr. Sutton) looking over his shoulder, and I said to myself "*Arcades ambo.*" The speech which the honorable gentleman has just delivered is, to my mind, a most disingenuous and unfair speech. Sir, after you intimated that you had withdrawn these telegrams, every man in this House who had seen the telegrams—every man worthy of being called a man—ought to have closed his lips and held their contents secret. But what has the honorable gentleman done? He has sneaked out the contents of certain of those telegrams in order to get them before the House and the country. At a time when we are deliberating whether the wires have or have not been properly used, we are told that the House ought to insist that the telegrams should not be smothered, because they contain something of a very improper character. That is the kind of advice given by the Old Bailey lawyer, who, when he cannot get the evidence he wants, makes statements with the view of damaging the witness. Why, Sir, if we were to go back a few years and were to enter into the honorable gentleman's private room, we should discover some very curious things. We should see how he did the business. We should find that in every plot to damage an opponent, or shake a man in his allegiance to his party, there would be the honorable gentleman, *facile princeps*. And yet he talks of his honor, and of his political purity! When I remember that a man who is not now in this House was subjected to pressure of a most infamous kind, and when I know what the nature of that pressure was, I can afford to smile at the insignificant and ungentlemanly taunts which the honorable gentleman has levelled at me to-night. A certain spiritual personage—I suppose he is spiritual—can quote Scripture when he thinks proper; and

Mr. Turnbull

when the honorable gentleman talks about abuse of the public money and the public telegrams I am reminded of that spiritual person—whose acquaintance I hope he will not make. The honorable gentleman stated that the same thing was done in 1871. I say he is incorrect. No telegrams were produced in 1871. I defy him to show any record of telegrams having been produced. He has a very good memory, and let him turn up the record if there is any. I say that none were produced. This House would not allow them to be produced, and I believe that in consequence an alteration was made in the law. Let me remind honorable members, as we are talking of these things, that this House once got up a growl because it became known that the Commissioner of Telegraphs had been seen in the office attached to these buildings. I believe he went there without any intention of looking at any telegrams; but it became known that he was there while the clerks were at work, and it led to a very acrimonious debate in this House. Now, the honorable gentleman asserts that these telegrams have been paid for with the public money. That is the point in dispute. Certainly some of them have not been paid for out of the public money, and, when we are charged with forwarding a private telegram at the public expense, I think we are entitled to have evidence upon oath, and show how it came to pass. I feel very sorry that the honorable gentleman should have thought it his duty to go so far as to make use of the contents of these telegrams in his speech to the House, in defiance of the fact that you, Sir, had withdrawn the telegrams from the table, and refused to allow me to see them. I am surprised that he should take advantage of the fact that he had seen them, and attempt to mislead the House, and the country through the House, in regard to the nature of their contents. I am told—I am not in the habit of looking over honorable members' shoulders—that the honorable member for Napier (Mr. Sutton) has taken extracts from the telegrams, and that they have gone along the wires to be published in the newspapers of the colony. That is not a thing that any member of this House ought to have done if he wished to act fairly and squarely. And I may tell him that it will not do him any good. When such tactics are carried too far it always happens that public feeling recoils upon the moving spirits. The honorable member for Waikouaiti says he generally looks at all the papers that are laid on the table. No doubt. He is always looking. He gives me the impression of a man who would put his ear to a key-hole or look through the chink of a window; and I think some of his own friends will not say that that impression is incorrect. We have heard the Ministry called the "Detective Ministry." I do not think the term was fairly applied, but I certainly do think the honorable member for Waikouaiti should have been in the detective service, because there he would have risen to a greater eminence than he is likely to rise to in this House. The detective service has lost a valuable officer, and this House has got a most troublesome member. The honorable member is very much grieved

on one point. He says he has not seen all the telegrams, and that there must be a great many more. Now, Sir, it strikes me that the collection of these telegrams and the presentation of them to the Minister was a labour of love to the department. I am not speaking now of the officer in charge, but of the permanent officers. From what I know of the department, I am perfectly certain that two or three of these officers must have worked night and day to get these things in in time. And we may safely take it for granted that they put in telegrams that were never asked for—dragged them in with the greatest willingness; so that, whatever the honorable gentleman's opinion may be, we may conclude beyond doubt that they are all there. I know the honorable gentleman is sensitively exact, to the extent of being prurient, but he is not likely to be gratified on this occasion. Then the honorable gentleman is ungrateful in the highest degree. By some process unknown to me, by the use of a bucket of whitewash and a brush he has become a Liberal. A true Liberal ought to be anxious to secure the greatest facilities for the exercise of the electoral rights of the Liberals in his district; but when the honorable member for Port Chalmers offered to give him two more polling-booths during his election he declined them. And what are his thanks? He abused him in this House. He ought to have got up and thanked him.

Mr. BRYCE.—He did thank him.

Mr. SHEEHAN.—Yes; he thanked him in a peculiar fashion. I do not care for thanks of that kind. We are told by the honorable gentleman at the head of the Government that all telegrams paid for by the public should be seen by the public. Well, let us see the telegrams about the new loan. They are paid for by the public. If that be the received and accepted doctrine, let us have them laid before the House. Will any man say that, because a telegram is paid for, it must be produced? Certainly not.

Mr. MCLEAN.—We will see the telegrams if we wish it.

Mr. SHEEHAN.—Well, you had better not wish it, because you won't. Sir, if there is a member in this House who impresses one with the sense of a nightmare, it is the honorable member for Cheviot. There are men of high public character in this House, such as the Premier, the Colonial Treasurer, the Minister for Public Works, my late colleague the member for Wanganui (Mr. Ballance), and many others, who have some reputation for public virtue and morality; but they cannot hold a candle to the honorable gentleman. He stands, like the peak of his own Cheviot Hills, seven thousand feet above the level of the ordinary political sea. Nobody can be right in his estimation. But it was clear, from the way in which he put this question to the Minister, that he was not a fair fighter. If he were, he would have brought a motion fairly before the House, and would have put it to the vote. That would have been a manly way of dealing with the matter. But that would not do. He gives as an excuse—and this will show how far he is entitled to hold him-

self up as a pattern to other people—that the telegram to Mr. Ingles led to a suspicion in the minds of other pure-minded persons like himself. Now, what is the history of that telegram? The history is this: A telegram was sent by a member of the late Government to Mr. Ingles, of Kaikoura, in the Cheviot District. It found its way to Kaikoura, Hawke's Bay; but the person who received it, being an honorable man, closed up the envelope and sent it to the gentleman to whom it was directed. Some person, certainly on the other side of the House, opened that telegram and sent a garbled copy of it to a newspaper. Now, if the honorable gentleman's hands be as white as he says they are, and if his heart be as unstained as he says it is—if he be the Simon Pure which he says he is—then he ought not to have touched that telegram. But no, Sir. For party purposes, in spite of his purity, he showed that he could go as far into a sewer as anybody else.

Mr. SAUNDERS.—That telegram was never used until it was received by the person whose property it was—Mr. Ingles.

Mr. SHEEHAN.—Then, supposing that to be the case, it simply leads one to the conclusion that they must be a peculiar people at Cheviot; because, if Mr. Ingles would use a telegram in that way, which on the face of it plainly showed that it was not intended for publication, all I can say is that he must have been brought up in the same school as the honorable member for Cheviot. Now, let me point out one absolute fallacy in the honorable gentleman's argument: From the time that certain Auckland members left our party to go over to the Government I have never addressed this House on that question. I have my reason for that, and I will mention it without mentioning names: it is because there is one of those four members of whom I cannot believe any wrong, and I am waiting for time to work out the explanation. But we are told that the attempt to compel Ministers to make known the contents of the document that passed between them and the four members was not fair. But this is fair. Now, let me ask this question: What was that compact? Did it not deal with the public lands—the public revenues? Well, Sir, if a compact between certain members of this House and the Ministry of the day, who control this House, or are trying to get a majority—a compact affecting the public revenue, the public estate—is to be treated as a private document, all I can say is that parliamentary government is gone for ever. I have not seen these wires myself, but I am told there are amongst them telegrams marked "Private and confidential." Well, Sir, if a telegram from the late Government to a private individual is a public telegram, how on earth can a compact made between the present Government and certain members of the House be regarded as a private document? I do not know how the honorable gentleman reconciles these things. Possibly between this and to-morrow he may be able to reconcile them. I say at once, if the fact of the word "Confidential" being written across the face of a document such as that handed to the member for Newton precludes this

House from seeing it, in the same way a telegram marked "Private and confidential" should not be put upon the table of the House without reference either to the person who sent it or the person to whom it was sent. We have been told on the present occasion that most improper things have been found out. I presume that, as provided in the old Spartan law which attached no penalty to thieving unless the offence was discovered, the sin here was the being found out. But the Spartan law was in force before we went into office, and all that my honorable friends can say is, that they were not found out. I feel sure that the telegraph has been used for electioneering purposes by Ministers for years past; and had we gone to work in the same systematic way, picking out these telegrams, we could have found out a great many. I have seen copies of them attached to public papers, and all I can say is, if it be an offence, it is an offence of very long standing indeed. Now I would like to ask the honorable gentleman who laid these papers on the table—although I have no desire to subject him to any cross-examination—if he has mentioned to the House, and, if not, whether he will do so, under what authority of law he called upon the head of the Telegraph Department to produce all these telegrams. I will pause to allow him to answer that question before I go any further.

Mr. HALL. — Go on. I shall have another opportunity.

Mr. SHEEHAN.—Then the Premier declines to plead. I presume that is so. He declines to answer my question. Then I think that, as a matter of right, the House should call upon him to state under what authority of law these telegrams were demanded by the Government from the head of the Telegraph Department. I shall be glad to hear what section in any Act in force in this colony gives him that power. It may be that I am speaking under a misapprehension, and I do not want to do anything that is at all unfair, because I will say frankly at once that I believe these telegrams have been laid on the table in consequence of a misunderstanding of the question of the honorable member for Cheviot. I do not even accuse the Premier of endeavouring to score a point unfairly against political opponents; but still I should like to know under what authority he took it upon himself to call upon the Telegraph Department to produce these telegrams. I should really like an answer before I proceed any further. I am desirous of acting fairly, and I do not want to talk about the matter without being well acquainted with the facts. If the honorable gentleman declines to answer me, I will ask the House to look at the Act, and I will say this: that no one, not even a Minister of the Crown, has any right to take into his possession the original or the copy of any telegram in the Telegraph Office unless in the manner laid down in this Act—the Act of 1875. If I am wrong in that opinion the House will excuse me, seeing I have given the honorable gentleman an opportunity of explaining what his authority was, which opportunity he has not seen fit to embrace. What does this Act provide? That there is only one process by which

Mr. Sheehan

the original or the copy of a telegram once sent can possibly be obtained for the purpose of being seen and read. But there is this distinction: If the telegrams referred to were telegrams recorded in the public offices they might be produced to the House; but if they are not matters of record, and if to obtain them it became necessary to apply to the Telegraph Office for the originals, or for copies, then the process is clearly and distinctly laid down in the Act; and, if that process has not been followed, there has been an absolute breach of confidence in connection with the Telegraph Department. What do we find in this Act? So far as I can gather, it provides that telegrams shall be produced only "on any inquiry before any Committee either of the Legislative Council or the House of Representatives, or any Joint Committee of such Council or House, or before any Commission duly appointed by the Governor." These were the only cases in which information should be given; and even then, so important is it to preserve the secrecy of the Telegraph Department, if the persons in charge of the department are called upon to divulge the contents of telegrams, the body before whom that information is given have to give an indemnity to the witnesses for tendering evidence of that kind. The very essence of the usefulness of the Telegraph Department consists in its perfect and inviolable secrecy; and if Ministers are entitled to direct their subordinates in that department to produce and lay before them copies of telegrams from or to any person, it matters not whether that person occupies an official position or not, then I say this: that public confidence in this department has hitherto been altogether misplaced. I do not contend that there is no way of getting at these telegrams, because, if they have been paid for by public money, it is quite right they should be produced if the House desires it; and there is a way in which that may be done. But I say this: that that way is laid down by the law, and should have been followed, more especially as this motion did not come before the House for its approval. If there had been a motion made, seconded, discussed, and carried—although it would have been informal, I admit—still it would have been in some degree a warrant from this House for the production of those telegrams; but in this case a simple question was asked by the honorable member for Cheviot, and answered by the Premier—there was no discussion, no acquiescence on the part of the House—and then we find, a few days afterwards, that telegrams are laid upon the table of this House. I submit, confidently, that, for the purpose of scoring a point against the party in opposition, Ministers have betrayed an enormous trust. In the first place they have gone beyond the letter of the question of the honorable member for Cheviot, and have produced, not only the telegrams sent by Ministers, but also telegrams sent by private persons to Ministers, which must have been private telegrams, and paid for as such, inasmuch as they had no authority to frank telegrams. I say, further, it was unfair to put these telegrams upon the table—it was unfair to allow them to be com-

municated to this House and the country until such time as the means whereby they were sent had been discovered—until it had been discovered whether they were paid for by private or public money, and whether they have been duly taken from the place they were supposed to be kept in by the Telegraph Department. I am certain, therefore, the House will not refuse a Committee. My honorable colleague, the honorable member for the Thames, has already made a statement to the effect that he left the franking of these telegrams entirely to the discretion of his private secretary; and I can say, so far as I am aware, that from the time the House was dissolved in August till the new House met in September I did not wittingly or knowingly forward a single telegram on electioneering matters at the public expense. I can show that I had accounts at the various telegraph offices, and that all my "wires" which related to election matters were paid for out of my private purse—not one farthing came out of the Public Treasury. I say "knowingly or wittingly." I cannot go further than that, because during the whole of that time I was in receipt of from fifty to a hundred telegrams a day, so that I had to have recourse to the services of a shorthand writer in order to answer them all. I did not sign one of them myself, and I believe, as a matter of fact, I did not see five per cent. of them before they were sent away by the clerk who wrote. Morning and evening I gave express instructions to the clerk who wrote out these wires, that all telegrams which had no relation to public business should be placed to my private account. I did not go and see if that was done. I simply gave instructions, and expected to see them carried out; and when the account was brought to me I paid it. I make that statement to the House; but I think, in justice to myself, I should be allowed to prove my statement by evidence upon oath, and, that being the case, I trust that honorable gentlemen will not refuse me the opportunity of having these matters proved in the ordinary and proper way. If it turns out that any private wires have been knowingly and wilfully sent at the expense of the public, I will not attempt to excuse or defend such conduct. I do not desire to impute to the Government that they have laid these telegrams on the table to damage the late Government. I believe, myself, that a mistake has been made, not only in getting any wires from the Telegraph Department, but also in getting the wrong ones, and I regret, as a matter of gentlemanly feeling, that before they were laid upon the table a reference was not made to the senders or receivers of those telegrams, because it no doubt could then have been shown that the assertion that telegrams for private purposes were sent at the public cost was a mistake. I hope the Committee will be granted. The truth will not be known from speeches in this House such as those delivered by the honorable member for Cheviot and the honorable member for Waikouaiti. Accusations and recriminations will never settle the matter; but let a Committee be empowered to take evidence upon oath, and then the House will arrive at a definite conclusion as to who was right and who was wrong.

Mr. WAKEFIELD.—I am sure the honorable gentleman must be wrong on this occasion, or he would not have gone into such a towering passion. I never before in the whole of my experience saw that honorable gentleman in such a rage as he was in when he rose to speak, though no doubt he calmed down by degrees until he got into that state of good-humour and *bonhomie* which generally characterizes him, and he ended with a moderation which was in strong contrast with the mode in which he commenced. In the earlier part of his speech he cast the hardest terms it was possible for one honorable member to throw at another against the honorable member for Waikouaiti and the honorable member for Cheviot, because they happened to take a view different from that which the honorable gentleman holds in regard to the production of these telegrams. Until the honorable gentleman began to speak I did not think there was anything particular in this matter—I thought it was a small affair to give rise to so long a discussion; but, when the honorable gentleman rose, I saw immediately there was more in it than appeared at first sight, and that the thing ought to be investigated to the very bottom. I was present when the Colonial Secretary brought down the papers. I heard him mention what they were when he laid them upon the table, and I heard him ask whether it was the pleasure of the House that they should lie upon the table. No notice was taken of them; and I, although I knew what the papers contained, never had the curiosity to go and look at them—for this reason, Sir: that when this subject was first brought up, *apropos* of the Whitmore-cum-Ingles telegram, the honorable member for Port Chalmers, who was then on the Treasury benches, declared most positively in this House that there was no other telegram than this one from Ministers on public service on electioneering subjects. The honorable gentleman stated that, as far as he was concerned, there was no other telegram of a like nature; and each of his colleagues rose in his place and repeated the assertion, and all cheered and applauded him in repudiating the idea that there was any other telegram of the kind.

Mr. SHEEHAN.—I did not rise, for one, and I have an idea that others of my colleagues did not rise also.

Mr. WAKEFIELD.—My general impression is, that Ministers rose one after another, and repeated what the honorable member for Port Chalmers said. When this question was first raised in the House, the late Ministry flatly denied that there were any other such telegrams; but still the honorable member for Cheviot asked whether the Ministry would inquire, and, if there were, whether they would lay them on the table, and Ministers said they would do so. I thought at the time that there would be a *nil* return, seeing that it had been already stated by the late Ministry that there were no other telegrams on public service on electioneering subjects. But, instead of a *nil* return, a bundle of telegrams has been laid on the table. I have not seen the telegrams yet, but it appears there are a great many of them, and that the late Ministry made use of

the telegraph to a pretty considerable extent with a view to influencing the elections. There is a point which has been entirely overlooked in the course of this debate—at least, by honorable gentlemen on the opposite side of the House. It is this: that the honorable member for Cheviot came to this House on the 24th July, I have no doubt burning with indignation because his election had been interfered with by the Government. And not only he, but a number of honorable members on my side of the House came here with that feeling. I myself came with such a feeling in my mind. I felt very strongly at that time that the late Native Minister had interfered in my election.

Mr. SHEEHAN.—Certainly not.

Mr. WAKEFIELD.—Then I came here with that feeling.

Mr. SHEEHAN.—Then I give it the most emphatic denial.

Mr. WAKEFIELD.—The honorable member need not give it any denial. I came here with that feeling, and felt it very strongly, because at that time I believed it to be the case. Very many members came here believing that the Government had very wrongly exercised the powers of their office to influence the elections. We all felt when we came here that we had had a very hard, uphill fight against enormous odds, and were ready to take the Government by the throat and shake them for having dared to interfere, at the public expense, with our elections. That feeling wore off, and, looking back, it seems to me there was nothing to trouble one's mind about; and the feeling which I entertained with regard to the then Native Minister vanished when I met my honorable friend once again. Every man who had just got through a hotly-contested election felt strongly, and would have done anything to drag out the action of the late Government in regard to the elections. And that brings me to the very point I was referring to—that the great wrong done was, not so much that telegrams had been sent on public service, but that the late Government used their power in an improper way to influence the late elections: and if anything is a public matter, that is a public matter. Let it be borne in mind that there may be numbers of men who, but for such interference, would have seats at this moment in this House; and I ask whether their interests, and the interests of the large number of persons who supported them, are to be ignored. Why, of course every one of these candidates and every supporter of theirs—every one of them—has a perfect right to hear whether the Government made use of public departments in order to interfere with their elections. Luckily, the honorable member for Cheviot gained his election by a gallant fight and got in, and it is a very good thing for this House; and I believe he will always be an ornament to this House—(laughter)—a much greater ornament than the honorable members who are making those peculiar noises—a much greater ornament than the honorable member for Hokitika. I do not wish to depreciate any honorable member, and the honorable member for Hokitika will be an ornament to the House if he tries to improve.

Mr. Wakefield

I have known the honorable member for Cheviot for the last fifteen or sixteen years, and, always having had a high opinion of his character and abilities, I am not going to be told now, simply because he thought himself justified in taking up this matter, that he is anything less worthy of admiration than before. I am glad he got into the House. But it might have happened to him not to get in, owing to their use of the public telegraph; and so, in my opinion, was it with reference to several others. That is what the honorable member for Cheviot wanted to bring to light. He did not care a sixpence whether the Government paid for this or that telegram. It was the only way by which he could get at the fact that the Government had interfered with the elections. He could not otherwise get at the telegrams; and it appears to me it was a very good thing that he brought the question up, and that the telegrams have been laid upon the table. The honorable member for the Thames (Mr. Sheehan) says that if it is shown that these telegrams are properly laid on the table he will move that they be printed. I hope they will be printed. Let the public see that Ministers really did use their influence to affect the elections, to deprive the people of the right of free choice of candidates. Let the public see what harm it would do. A few years ago the honorable member for the Thames (Sir G. Grey) was in the habit of asserting the theory that there was nothing the public should not know—that the very proceedings in Cabinet Council should be published in the daily papers; and now he comes and tells us it would be a shameful law that telegrams should be laid on the table by the consent and order of this House. What a change in his opinions! The honorable gentleman must know very well that, if the telegrams were, as they are alleged to be, and I believe they were, all public telegrams, paid for by the public, then this House is perfectly entitled to see them, and the public at large have a right to know what their contents are. The honorable member for the Thames (Mr. Sheehan) has endeavoured—I must say, very unfairly—to put the Ministers in a false position by adopting the Old Bailey style of cross-examination, which is no model for him to follow. He attempted to drag answers out of Ministers in the course of his own speech. The honorable gentleman must see it was not fair, or orderly, or regular in debate. And he then made a strong point of the law that these telegrams could not be given up to the Government. Now, if I mistake not, the sender of every telegram has a right to a copy of that telegram at any time. He can at any time go and see what he sent.

Hon. MEMBERS.—The sender.

Mr. WAKEFIELD.—In this case the Government was the sender; and I don't care whether it was the honorable member for the Thames (Mr. Sheehan), the honorable member for Port Chalmers, or any other member of the Ministry, it was the Government who sent the telegram.

Hon. MEMBERS.—No, no.

Mr. WAKEFIELD.—Not a telegram with "G.T." at the head of it? Distinctly it is.

The Government have a right to see what they sent, and to get a copy of it. As to telegrams received from other persons by the Government, I think they ought to be seen also. Why should gentlemen send telegrams on public service interfering with the elections—perhaps doing a great injury to the candidates and the community at large?—why should they be allowed to do that at the public expense, and Parliament be denied the right of seeing the telegrams? The thing is nonsense. The honorable member for Waitaki, in one of his peculiar speeches, took a very high moral tone. It is the first time he has done so, and it certainly does not become him. He endeavoured to show that the production of these telegrams would lower the character of this House. It is not that, but it is doing the thing that is exposed by these telegrams which will lower this House, and, if anything could add to the reason for the production of these telegrams, it was the temper in which their production was received by the gentlemen implicated. If they had said nothing, the thing would have been forgotten in two or three days; there would have been absolutely an end of the matter; nobody would have thought there was anything particularly wrong or bad about it. Those whose elections had been interfered with would feel that they had a narrow escape, and that kind of thing; but nobody would have thought anything of it. But what do we find? That no sooner are these telegrams laid on the table and it gets abroad that there is this telegram from the honorable member for Port Chalmers tiddlywinking the polling-places, or another from the honorable member for the Thames (Mr. Sheehan) trying to get pressure put on the public Press to influence the elections—no sooner does this get out, than they demand a Committee of privilege to know whether the law has been broken by laying these telegrams on the table; and when they find the bundle of telegrams in your possession, Sir, two or three members on the Opposition side are up at once on points of order, and you had to give your ruling three or four times before they could be got to resume their seats. One would suppose that two or three Ministries were going to be turned out at once, or that some financial crisis was taking place. It is simply that a bundle of telegrams have been laid on the table showing that Ministers interfered with the elections, as everybody supposed. I never had the slightest doubt that they did interfere with elections which they could influence in any way. Sir, the honorable member for the Thames (Mr. Sheehan) has taken the line that he always takes: it is a characteristic of his. Whenever any indication of any wrong act on his part is made, he does not deny it, but says, "Oh! my predecessors were quite as bad, and so were their predecessors." He does not discuss the point whether it is right or wrong; it is simply a question whether his predecessors did not do the same thing. When he was addressing a public meeting, or after a banquet, I think, he summed up the position of the Ministry by saying, "We are as bad as our predecessors; give us seven years." That is what he generally says: no matter whether it is right or

wrong—if his predecessor did it, it is justifiable. I do not say that all previous Ministries have abstained from interfering in elections. It has been my privilege to be behind the scenes, and I should certainly not like to make an affidavit to that effect. But I must say that, those gentlemen having done what probably other Ministries have done, more or less—although I do not think that any Ministry has ever shown the amount of enterprise in this way which those honorable gentlemen have shown—it would have been much more becoming on their part if they had just let the telegrams take their place on the table and said no more about them. I should never have blamed the late Ministers very much for what they did. I should most likely have had a good laugh at them, as I hope I shall have an opportunity of doing when I see those telegrams. I certainly think I shall be able to have a laugh at the honorable member for the Thames (Mr. Sheehan), and shall probably learn a lesson from him which may be useful to me in future elections. But as to blaming them very severely, or thinking the tone of this House has been lowered because that which was pretty well known before is now ascertained for certain, it is all nonsense. I am sorry so much feeling has been shown in the matter; and, as for the Committee, I say, By all means let us have it. Let us see what all this is about. I do not want anything hidden. I do not know what the feeling of the Ministry may be; but, if they are opposed to the appointment of the Committee, I will not back them up. I should like to have the Committee appointed, in the first instance, to make it certain that these are public telegrams, and to make it all straight and proper as far as the Government are concerned in producing them; and, in the second place, to find out whether there are any more of these telegrams. While we are about it, let us have the whole thing complete, so that we may see how elections are worked. Why, it will be a capital lesson for Ministers themselves, and teach them how, in future, to work elections without their action coming under the notice of Parliament. As for making a great fuss over the thing, and saying the late Ministry have done something shocking, I have never heard that attributed to them. All we have said is, that the elections have been influenced, and when we came up fresh from those elections we felt, perhaps, a little strongly on the subject; but I do not think it will be shown that any very grave political crime was committed, or, on the other hand, that in ordering the production of these telegrams the Government did anything more than they were justified in doing. I shall therefore support the appointment of a Committee. But I say, Let us have a fair Committee—no dodgery; no party Committee. Do not let us have what we have seen in much graver matters—wrangling in this House, and Committees appointed to bring up a report in a particular direction. Let us have a straight and fair Committee, and I shall support it at once. I wish to make one remark on what the honorable and learned member for Dunedin City (Mr. Stewart) said. He told us he was going to speak on this

subject entirely apart from all party feeling. All I can say is, if his speech was not inspired by party feeling, I hope I shall never hear a party speech from him. I have tried to address myself to the subject without party feeling. It is not a party question. It is merely a question of fair-play to both sides in a matter on which each side entertains strong feelings. I hope we shall have the Committee.

Mr. MOSS.—I was one of the four who rose to a point of order, and I now ask the indulgence of the House while I say a few words in explanation of why I rose. It was simply this: I was anxious to know what was in those telegrams, in order to defend the late Government as far as I could. It was through no prurient curiosity that I wanted to see them; but I was deprived of the opportunity, while the honorable member for Waikouaiti and the honorable member for Napier were literally gloating over them, and picking out everything that could possibly prejudice the late Ministry. Certainly the honorable member for Waikouaiti only told half the fact when he said he had only got half through them, for he had then got to the end.

Mr. McLEAN.—In personal explanation, I may say that the honorable member for Napier was half-way through them when I first saw them, and I never saw the beginning at all.

Mr. MOSS.—At all events, the honorable gentleman saw the last part. But I felt I was not in a fair position, as I desired to defend the late Government. That was the reason why I am afraid I showed a little pertinacity in disputing your ruling, Sir, for which I now beg to express my regret. As to the circumstances themselves, it is not necessary to say much. The part of the speech of the honorable member for Geraldine to which we must all have listened with the greatest pleasure was that in which he told us he was going to sit down; for here, on a private members' night, he stood up for a whole hour darkening the entire question by a multiplicity of words. Does any honorable gentleman know what the honorable member was talking about? Did he not do all in his power to draw us away from the real point before us? But to that point I wish to bring the House back. I want to know whether or not those returns contain also the instructions from Ministers to the chief of the Telegraph Department to search for these telegrams. I do not suppose Ministers would themselves prowl about the Telegraph Office searching for them, and, if they did not prowl about hunting over all the private and public telegrams, I want to see the instructions they gave the officers of the department in order to get these telegrams. Those instructions ought to be produced and laid on the table. That is a matter the Committee will, I hope, inquire into. Again, I would point out that the honorable member for Waitaki (Mr. Hislop) did not say the production of these telegrams would lower the tone of the House, but that the manner in which they were produced would lower its tone. He said the secrecy of the Telegraph Department was broken without law, and, as I also believe, against the law: and

Mr. Wakefield

the obstinate silence of the Government on this point shows they had not the law with them.

Mr. HALL.—No.

Mr. MOSS.—Then, if they have the law with them, let them show it to us and not keep us in the dark. I believe myself there is no law which justifies the Government in searching for telegrams and bringing them out in this way. The question of the appointment of a Committee needs no discussion, it is so manifestly fair that one should be appointed, and that the whole thing should be inquired into, in justice to those honorable gentlemen whose characters are impugned.

Major ATKINSON.—With an amendment which I propose to move to the motion of the honorable member for Port Chalmers, the Government are prepared to accede to the appointment of a Committee. They think the appointment of a Committee is very desirable under the circumstances, though they deny that any blame attaches to themselves or to the officers of the department in this matter. I must confess I felt considerable regret that the honorable member for the Thames (Mr. Sheehan) should have thought proper to speak in the way he did of the permanent officers of the Telegraph Department. I am always very sorry when I hear any member of the House speak in that way of the permanent officers of the Government. We, Sir, are the responsible officers. My honorable friend the Commissioner of Telegraphs is actually responsible to this House, and is prepared to take all responsibility in such matters as this; and the House should visit its displeasure upon his head, and not upon the officers of the department, who cannot speak for themselves, if it is shown that anything wrong has been done. In this case the officers of the department only did their duty: they produced such telegrams as my honorable friend ordered. I am not going into the question of whether we should have produced these telegrams, because the Committee will decide upon that; but I take it that, if there is any question at all whether the members of the Government may use the telegraph for private purposes, and at the public expense, and then, by neglecting to leave copies amongst the records, preclude their successors from knowing what has been done, the law must immediately be altered. I hold that it is in the power of this House to order any public document which has cost public money to be produced; and the argument of the honorable member for the Thames that, because the Government do not think it advisable to produce certain documents, therefore this House has no right to have them, is no argument worth a moment's consideration. When there are documents which the Government do not think it is for the public interest to produce, such as telegrams relating to loan negotiations and such matters, it is not the Government who resist their production, but the House itself, under the advice of its leaders. The House does not give up its right to have the papers; but it denies the advisability of producing them. There can be no question, in my mind, that all telegrams sent at the public cost are open to the inspection of succeeding Governments, and, being open to the in-

spection of a succeeding Government, that Government can, at its own discretion, lay them on the table of the House. I shall move amendments to the motion of the honorable member for Port Chalmers so that it shall read thus: "That the papers presented to this House to-day, alleged to be copies of certain telegrams concerning the late elections, be referred to a Committee to report to this House whether or not the production of such papers is contrary to law, and to ascertain the total number of telegrams on electioneering matters sent or received by the late Government at the public cost: the Committee to have power to call for persons and papers; three to be a quorum; and to report in ten days."

Mr. TOLLE.—If the words "be withdrawn" are struck out of the motion, I shall feel it my duty to object, because a number of telegrams have been laid on the table which are of a peculiarly private character, and they should, in justice to third parties, be withdrawn. Those telegrams should be withdrawn absolutely from the table of the House. In the enthusiasm and excitement of election-time, persons outside of the House have possibly made statements which might prove absolutely ruinous to them by being subjected to pressure by persons who have been returned to the House and who may have a political bias against them. Under those circumstances, the telegrams I refer to should not be under the inspection of every member of the House. As pointed out by the honorable member for the Thames (Mr. Sheehan), we have not been told under what authority of law these telegrams have been published, or have even been obtained. The honorable member for Egmont says the Commissioner of Telegraphs is responsible; but I think it was the clear duty of the officer in charge of the department to absolutely decline to give any information or to divulge any of these secrets, except by order of a Court of law of competent jurisdiction. Except in a criminal case, there does not seem to be any means by which this information can be abstracted. It is decidedly wrong that these telegrams should be allowed to lie here at all.

Mr. SPEIGHT.—I have gone closely through these telegrams, and agree with the honorable member for Eden that there are telegrams there distinctly private, and which ought not to be put on the table of the House under any circumstances. It would be decidedly injurious to the private business of some persons if they are read; and they should be withdrawn absolutely, and not be sent to the Committee. Go into Ministers' telegrams as closely as possible, and I think the closer you go into them the better. But, at the same time, there are telegrams there some of which are stated to have been paid for, and the question which is being discussed is whether or not, under the cover of replying to a question, the Ministry should be in a position to place on the table things not asked for. What was asked for was the production of certain telegrams sent by Ministers in connection with the elections, and what are produced are telegrams sent by Ministers, and additional telegrams sent by private persons. It will be absolutely ruinous to

those persons if some of those telegrams are published. I understand the honorable member for Napier (Mr. Sutton) has made copies of certain portions of the telegrams. If these documents are withdrawn for a time, steps should be taken to prevent publicity being given to them. In common honor, that should be done. The Government, I think, should permit the absolute withdrawal of all telegrams sent by private persons. It is undoubtedly clear that, by a subterfuge, there have been placed on the table documents which would not have been permitted to be brought before the House if a straight vote had been taken. I hope that, whatever our party feelings may be, our sense of honor will never let us drag into this House documents calculated to injure private persons outside of the House. Although some honorable gentlemen seem to make mirth out of these telegrams, there are some things there which ought not to produce mirth in anybody of right mind and who had a sense of what was decent. The statement made by the honorable member for the Thames (Mr. Sheehan) amounts to this: that, if telegrams have been sent, and the public have paid for them, they have been sent unknown to him. The Premier made a statement with regard to the late Premier that only one telegram had been sent by him, which showed the great care exercised by the late Premier. It did credit to the Premier to make that statement, but still it was a statement he was bound to make. I have myself personal knowledge of the fact that the honorable member for the Thames (Mr. Sheehan) was in the habit of receiving his accounts from the Telegraph Office and paying in lump sums for those private telegrams. If telegrams which were private telegrams have been allowed to pass as Government telegrams, the department alone is to blame. I think the Premier might accede to my request, and withdraw absolutely all private telegrams.

Mr. HALL.—The honorable gentleman asks that any telegrams which have not been sent at the public expense, but which have been sent to Ministers and paid for by the senders, should be withdrawn.

Mr. SPEIGHT.—No. My request was this: That, as a direct proposition was put to the House asking for the production of certain documents, all telegrams not in response to that, and not Ministerial telegrams, should be withdrawn.

Mr. HALL.—That is quite a different thing. That is to say, that private individuals who sent telegrams on electioneering matters at the public cost—who charged their cost to the public—should not have those telegrams made public. I cannot consent to their being withdrawn from the investigation of the Committee. It will be for the Committee to indicate what should be done. It has been asserted that several of these telegrams have been paid for. My attention has been called to one telegram which the sender—a member of this House—says he paid for. I have directed that the telegram be inspected, and I find that, as received here, it is marked "G. T."—Government telegram. Pursuing the matter further, it is found that it was addressed to the Premier at Christchurch, and from there was sent on

to Wellington as a Government telegram. On inquiry, however, at Christchurch, it seems it was sent thither from Westport as an ordinary telegram. I think the honorable gentleman is entitled to have that telegram withdrawn at once. I will have further inquiry made, and, if any other telegrams sent to the Government are in the same position, they ought to be withdrawn at once. I think the honorable member for Eden will admit that that is a fair proposal. The late Premier stated that his instructions to his private secretary were, that he was to charge all private telegrams to his private account, and that, if there was any doubt, the doubt was to be given against him. That statement, I believe, is absolutely correct. The honorable gentleman has not transgressed knowingly; but there appears to be this telegram not paid for. I utterly and entirely deny that, as a general rule, it is the duty of private secretaries to decide what telegrams are to be paid for by the public and what are to be paid for by Ministers themselves. Such a rule is quite contrary to my experience, and I have had considerable experience in the management of public affairs. The Minister himself decides whether a telegram is public or private. I will endeavour not to raise further controversy, as I understand the mover of the resolution accepts the modification suggested by the Colonial Treasurer. It has been suggested that these papers should be withdrawn; but, in that case, they could not go to a Select Committee. I must, before I sit down, refer to one other question—the legality of the proceeding. The Colonial Treasurer has stated quite truly that I, as Acting Commissioner of Telegraphs, am responsible for what has been done. I take upon my shoulders the entire responsibility of the proceedings. It is not a matter for which the officers of the department are in any way responsible. I regret extremely that the honorable member for the Thames (Mr. Sheehan) attributed blame to the officers of the department. I was not in the House at the time; but I am told he said that the examination of the telegrams was a labour of love on the part of the officers of the department. I feel strongly that that was a most improper statement to make with regard to officers who serve under me, whom I am bound to protect when wrongly accused, and than whom no more honorable or high-minded men can be found in the public service. With regard to the legality of our proceedings, I can only say that the Government acted under advice. I will not now go further into the question, as it is proposed to refer it to a Select Committee. I believe the Committee will find that the Government have acted in strict accordance with the law.

Sir G. GREY.—I wish to make a few observations in answer to what the Premier has said. He said that, if a telegram sent by myself when I was Prime Minister was by an accident not paid for, then he has a right to take and publish that telegram and lay it before the House. That is what he has done. It is a positive fact; and the telegram is on the table now. I say he has no right whatever to do that. The law fixes no punishment of that kind upon me, and I shall

Mr. Hall

certainly take legal advice as to whether I cannot prosecute him. I feel I have that power. The honorable gentleman may laugh. He laughs at anything that is good. I am sorry to see that such is often the case. I say I have been badly treated, and he may laugh at a dishonorable act, which I feel is injurious to myself, but he has no right to do it. He should have some sense of honor in his mind—

Mr. HALL.—I have quite as much as you have.

Sir G. GREY.—And not laugh at men who conceive they have suffered a great wrong. He has no right to do anything of the kind. I say the Premier had no business to take a private telegram of mine because, accidentally, it was not paid for. His duty was to have caused me to be called on to repay the amount. He had no business either to read the telegram himself or to lay it upon the table of the House. To do either of these things was a positively dishonorable act, for which he ought to be ashamed.

Mr. WAKEFIELD.—I rise to a point of order. Is it parliamentary to tell a member of this House that he has done a dishonorable act?

Mr. SPEAKER.—The honorable member probably alludes to something which he considers politically dishonorable, and yet does not impugn the personal honor of the member he refers to.

Sir G. GREY.—I am stating facts, and I have a right to state facts. Further, I wish to say this: that it has been said to-night that I have complained wrongfully of a speech I made at Christchurch having been quoted. What I complained of was, that an addition was made to that speech which I never made—an addition made which does not appear on the question put in the House. It is stated that I had said something which I had never said—namely, that the £100,000 would be immediately paid. That is what I complained of. I say it is a wrong thing to dive into a private telegram. It was a wrong thing for the department to give it up, and no Minister of a department is justified in exercising a reign of terror. I am confident the head of the department, if left to himself, would not have done anything of the sort. I feel that he has done so with a sense of shame and repugnance that he was asked to do that which ought not to be done. Merely because a telegram has not been paid for, it should not be treated as a public document and published to the world; and I shall see whether a Court of justice will give me redress or not.

Mr. J. T. FISHER.—I consider that the regulations of the Telegraph Department have been violated by the production of these telegrams. The Government should have looked into the matter fully before laying them on the table of the House. It was all very well, Sir, to say that the telegrams were in your possession; but they have been on the table, and have been read by honorable members. In my own case, it is adding insult to injury. My telegram was sent in answer to a question put by a colleague. My answer to the question put by my colleague was, that I should be back at a given time, and that the election was to come off on a certain day.

The other part of the telegram is not correctly copied. It is put there that "Fanny is all right." I do not mind a little fun, but I have a respect for the few remaining grey hairs on my head; and the honorable member for Waikouaiti has made it public by referring to it in his speech. How am I to explain the case? It is no use saying it is a clerical error. Ladies, when the telegram was sent, had not the advantage of the suffrage, and the honorable gentleman opposite, who is so strong an advocate of woman's rights, has placed me in a difficult position. The telegram ought, at all events, to be a correct copy of the original. I told some honorable members that I did not send my private telegrams without paying for them, and I am not aware now that I have done so. I find my name attached to a telegram with the names of other members of the Ministry. I am quite willing to take any blame with regard to that telegram, although I did not send it. I was not aware whether it had been paid for or not. I do not wish to prevaricate in any sense. The other telegram was one which it would take a great deal of twisting to make a political telegram: it is simply an answer to a question put to me. I think it is quite necessary that the proposed Committee should be appointed, and should consider whether private telegrams should be made public. If my honorable friend the member for the Buller sent the telegram and paid for it, it ought not to be placed on the table of the House. I consider it to be a breach of the Telegraph Act. The whole matter should be looked into. I merely wished to make the explanation I have made, because I do not wish to be misunderstood in the matter.

Mr. MACANDREW.—I see no substantial difference between the amendment and the motion, and therefore I accept the amendment. I understand that the telegrams will be absolutely withdrawn from this House and referred to the Committee, and that the future dealing with them will be determined by the Committee. I wish to say that in bringing forward the motion I had no desire to withhold any information from the public. With one exception, I never saw these telegrams until to-night, and, so far as I am concerned, their contents might be proclaimed from the house-tops. I am glad the honorable member for Waikouaiti was only able to discover one telegram with my name attached which had not been paid for. It was a joint telegram signed by me and all the other Ministers, and the value of that telegram was tenpence. How it happened to be unpaid I cannot tell. If you divide tenpence by seven, that will give my share. It is not for the purpose of withholding information that I have moved at all in this matter: it is for the purpose of ascertaining to what extent the Ministry of the day can command an officer of the Telegraph Department to produce telegrams. I think it is a very serious question, and I hope the Committee will go into it with that gravity and impartiality which the subject deserves.

Mr. McLEAN.—As the honorable member for the Thames (Mr. Sheehan) has referred to me, I will ask the Committee to rake up every telegram

that I sent when a member of the Government. I give the statement which has been made my most positive denial.

Mr. LUNDON.—I can say, from my knowledge of the Telegraph Department, that it is not a secret department. As this Committee is likely to be appointed, I will quote a case to show this. Sir Julius Vogel sent a telegram to me as captain of the Onehunga Volunteers, and it was marked "Private and confidential." That telegram was subsequently produced at an inquiry, without my consent or the consent of Sir Julius Vogel. The evidence before that inquiry was taken on oath. There are other cases which I hope will go before the Committee. The honorable member for Waikouaiti has done more to damage the late Government than all the members of this House. He has gone into the highways and byways, and tried to run down the late Premier. It is time he should stop. There is a great deal of business of private members on the Paper to be gone through, and several hours have been wasted over this matter. It is all owing to the Government being anxious to throw dirty water on the late Government. I am really sorry the Government should have gone into this question, instead of allowing the business of the country to be proceeded with. It would have pleased their own supporters to have gone on with the business. If the Committee go into the inquiry as they ought to do, I have not the least doubt they will find that the Telegraph Department is not a secret department. I have a letter in my pocket from the Chairman of a County Council, stating that he had good reason to believe that what happened in a particular office was not kept secret. I should be glad to produce the letter before the Committee.

Mr. GISBORNE.—I do not wish to say anything that will provoke controversy. I have no personal interest in this matter, as I do not think my name appears in any of these telegrams; but I wish to say that, while I was precluded from seeing these papers, I did not think it was proper that other honorable members should be allowed, in an underhand way, to give garbled utterance to portions of these telegrams, when the question at issue was that these telegrams included private telegrams.

Mr. McLEAN.—These were all public telegrams.

Mr. GISBORNE.—It is found that one of these telegrams was paid for at Westport by an honorable member who sent it, and that, without his consent or knowledge, it was transmitted to Christchurch through Wellington at the public expense, and that therefore it became a public telegram. Under no circumstances could it be considered a public telegram. I understand that, when these telegrams are sent to the Committee, they cannot be made public until the Committee has reported upon them and advised their publication.

Mr. J. B. FISHER.—In the event of the amendment being carried, the whole of these telegrams will, to all intents and purposes, be withdrawn from the House. As was the case with regard to one telegram I mentioned, and

which has proved to be a private telegram, so I think it will turn out that the other telegrams bearing my name were prepaid. I felt great diffidence, when the Premier asked me to point out to him the telegrams which I considered were private. I was afraid to tax my memory, and I limited my assertion to one telegram as having been prepaid. When this matter comes to be investigated, I believe it will turn out that all the telegrams had been prepaid. As a matter of justice, private telegrams ought to be respected. It was not right to place them on the table of the House, and have them discussed by honorable members. We have it before us that honorable members have been extracting items from private telegrams and circulating them all over the colony. I can only say, with reference to the telegrams sent by me—any of those which are private telegrams—that I shall hold any person publishing them through the length and breadth of the colony responsible for so doing. The Legislature, by the Act of 1875, has carefully guarded the Telegraph Department by distinct Statute, and it seems to me that it is a very great pity, and a grievous thing, that this matter has come up before the House to-day. Most of us have heard—I know that I have heard for a long while—breathings of suspicion against the integrity of the Telegraph Department in the maintenance of their secrets. It is not in one place or in two, but I have heard in several places in the colony that the contents of private telegrams are divulged and made public property, and that there really is, as a matter of fact, no dependence to be placed upon the maintenance of secrets in that department. It has come out to-day, in this debate, that one telegram sent by myself, and prepaid, has been brought into this House and laid upon the table without my consent, and without the ordinary requirements of the law being complied with; and this one fact is conclusive evidence against the department. The Statute of 1875 provides that no telegrams shall be produced or used at all, even upon subpoena, except in cases of treason, felony, or perjury, or by the consent of the sender or receiver. Nobody ever asked my consent to these telegrams being used, and I am sure the receiver's consent to produce them has not been obtained. There is no charge of treason, or of felony, or of perjury before the House, or any Court of law, and this evidence has not been obtained before a Committee; and therefore it is a conclusive fact against the Telegraph Department that this telegram has been divulged, and is now public property, whereas it was private property, and should have been protected under the Act. I am very sorry, on public grounds, that this circumstance has arisen, because I am afraid it will shake the confidence of the public in the department; and I hope the matter will be thoroughly sifted and investigated, and that the Committee will be very careful, in dealing with these telegrams, to see that none but those which, in law and in justice, can be considered as Government telegrams shall be made public, or in any way be mixed up with party struggles.

Mr. ROLLESTON.—I should not have risen

Mr. J. B. Fisher

to say a word if it had not been for what has fallen from the honorable member. My colleague the Premier most distinctly stated what is the fact—that the Government are responsible for the publication of these telegrams, so far as they have been made public in the House to-day—that they were obtained from the department by direction of the Government, who are alone responsible. I repeat this, because of what has fallen from the honorable member, and because I do not believe for one moment that there is the slightest ground for any imputation against the Telegraph Department. I believe that the confidence of the country in the Telegraph Department is very complete.—(No.)—If it is not so, and any individual has any ground to suspect the department, there is a proper way of bringing that up, and it should be brought up on definite accusations against the department, and should not be made by way of insinuations. It is the last thing that any honorable member should do, to throw discredit upon a department, unless there is something definite brought against it, and unless he is prepared to bring the charge and substantiate it. I hope that this Committee will feel it its duty to express an opinion, as the previous Committee did that inquired into an alleged publication of telegrams, upon the conduct of the Telegraph Department. It was at that time stated, by way of insinuation, that there was ground for mistrust in the Telegraph Department, which was entirely and absolutely absolved from the slightest suspicion or blame of any kind. I do not think myself that there is a department of the Government more honestly and more conscientiously administered than that department is, and certainly in the particular matter of these telegrams there cannot be the slightest blame attaching to the department.

Mr. HISLOP.—There is only one way of preventing the department from coming under suspicion, and that is for the Ministry to be candid with the House as to how they obtained these telegrams. If the Ministry will only state to the House how they got this telegram sent by the honorable member for Buller—

Mr. HALL.—The House has been told.

Mr. HISLOP.—I have not heard any distinct explanation yet. If the Ministry have received these telegrams from the department, then clearly the department have been guilty of an offence under the Act of 1875; and, if the Ministry have taken advantage of the department having done that, then they are parties to the offence. I can only say that, if the Ministry are to take advantage of their position to cause the department to give up copies of telegrams such as those which have been laid on the table of the House, the secrecy of the department will cease, and the confidence of the public in it will also cease.

Amendment agreed to, and motion as amended agreed to.

On the motion of Mr. MACANDREW, it was ordered, That the Committee be composed as follows: Mr. Montgomery, Mr. Saunders, Mr. Turnbull, Mr. Wakefield, Mr. Gisborne, Mr. Pitt, Mr. Bowen, and the mover.

ELECTIVE COUNCIL BILL.

Sir G. GREY.—Sir, I move the second reading of a Bill entitled "An Act to establish an Elective Legislative Council in New Zealand." In bringing forward a matter of such importance, it is well that I should allude to a few general principles. The first question that we have to deal with in connection with this subject is the consideration of the powers given to the Legislative Council. Those powers are, briefly stated, the power of legislating for the people of this country. They are powers which, I may say, are almost Divine, for they enable those who wield them to dictate to their fellow-men whether they are to live or not, how they are to act if they do live, and in what manner they are to live or to have their being in this world. It is undoubted, Sir, that that is the meaning of those powers, for those who legislate make laws by which people are put to death at their pleasure for anything which they may choose to make a capital offence. They dictate to their fellow-men exactly what they are to do in this life, and to a great degree they prescribe to them the position they are to occupy in the world—that is to say, whether they are to be poor or rich, may be holders of property or are not to be allowed to acquire property, in the land in which they are born. Well, Sir, seeing the nature of those great powers, I think it is evident that those persons who are to be subjected to a rule of that kind should have some influence in choosing the persons who are to impose laws of such momentous importance upon them. Then, if we consider further, we shall find this remarkable fact: that when these settlements were established in New Zealand there was really nothing to conserve—there was no necessity for the existence of a Conservative party at all. What we had to do upon coming into this country was to determine what was the best for ourselves. We had to resolve under what form of government we ought to live, and what laws we ought to pass for our own welfare—what laws were suited to the circumstances of this country, and of those who would dwell in it. We were not at all in the position of the great Conservative party at Home. That party have something to conserve. They have an hereditary monarchy in their midst. They have an hereditary Upper House. There is an Established Church. There are certain laws relative to lands, under which enormous properties are held by a few individuals, whilst the mass of the people are virtually precluded from owning land. Therefore there was a necessity for a great Conservative party in that country. Nothing of the kind then existed in New Zealand. If we look one degree further we shall find this, and it is a very remarkable fact: that what the Conservative party invariably do is to struggle for their own rights—for their own selfish ends—not for great principles. The party who are opposed to them—the Liberal party—struggle really for principles, for changes. The party called the Conservative party fight for what they conceive is for their own advantage; and we must remember that, with this object in view, they make laws upon many subjects which only indirectly bear upon the points

for which they are contending. To protect property, they may enact laws of extraordinary cruelty. I believe it will be generally admitted that that was the case in England until a very recent time. Those who were struggling to preserve the possessions they had, thought the best way to preserve them was to make certain offences punishable by death, until there were upwards of one hundred crimes, many of them of the most trivial nature, for which the punishment of death might be inflicted. In the same way they preserved the Established Church, which they thought necessary for the protection of property; and for years they prevented the mass of the nation from being educated, lest knowledge might make them discontented with their lot; and thus maintained slavery. In past times laws of atrocious cruelty were passed. It will thus be seen that the Conservative party in any country necessarily, from the great interests they had at stake, conserved what they considered for their own interests, and neglected what may be called the great principles upon which the prosperity and happiness of man depend. They cared little for principles of that kind, compared with the protection of the rights and advantages which they enjoyed above the rest of their fellow-men. At last, in New Zealand, a time did arrive in which there was something to conserve. When the Constitution came into force in this country there was that Constitution to conserve, and the principle of federation which was developed in it, the right of a single Chamber, of electing our own lieutenant-governors, and of not sending our laws Home for confirmation. The proposal made at that time was, that the Legislative Council should be elected by the Provincial Councils, so that they might specially protect that portion of the Constitution which declared that there should be a set of federated States in New Zealand, with the power of spreading that system of federation throughout the Pacific. But that did not please certain persons at Home. I am justified in saying, without speaking harshly, that the principle in our Constitution which gave us a nominated Council in this colony was enacted by those who were hostile to our institutions. It was enacted by those persons in England who, possessing great privileges, great properties, great hereditary rights, desired that the system under which they had obtained and maintained such great advantages should be established throughout the whole Empire. Therefore I am justified in saying that those who were hostile to us actually forced the present Legislative Council upon us. Now, Sir, there is one other thing worthy of consideration, which is, that in the beginning of the Colony of New Zealand the land question did not occupy the important position which it subsequently assumed. The extent of land owned by Europeans was very small. The great mass of the country was in the hands of the Native inhabitants, and, I must say it to their credit, to their honor—I can hardly find words to express my opinion of the generosity with which they acted—they relinquished large tracts of land in the Middle Island for almost no payment at all, it was so inconsiderable; and they did that de-

signedly, believing that by giving so much up to us we should carefully protect them in the possession of the rest which they occupied for themselves. I have thus traced out the way in which the nominated Council was imposed upon this colony, and I think honorable gentlemen will see that the moment that nominated Council was imposed upon the colony the Conservative feeling was called into action. A body was created in this country in no way dependent upon their fellow-colonists, in no way responsible to any one in the country or to any one outside the country, a body possessing the rights and privileges of the transcendent kind to which I have alluded—that is, to dictate to their fellow-countrymen, so long as each member of the Legislative Council lived, the exact nature of the laws under which all should live. They had the power to interfere with every law that was made, to alter it, to reject it, to send it back to us after we had sent it up to them, or to change it in such a way that it might be altogether repugnant to our feelings; and, if a law on the subject was absolutely necessary, we were forced to take it as they altered it. Not only was that the case, but the rule was laid down—a rule to which it was supposed we ought to adhere—that property was to be represented in that Chamber. Well, the meaning of that was, that you gave them exactly what was given to the Upper House of England, the means of establishing and perpetuating a system by which classes were to be created and unfair advantages were to be secured and perpetuated for the benefit of those who might acquire property within the limits of New Zealand. You at once created a body which, from its very nature, must have been Conservative in that bad sense which I have pointed out; that is, it must have become Conservative for its own selfish ends, in order to preserve the rights and privileges which the Constitution Act had bestowed upon it. I believe the creation of that Chamber was one of the greatest misfortunes which were ever inflicted upon New Zealand. It was a very great misfortune indeed. It may be asked, What is the best way of remedying that misfortune? Well, any man who proposes to remedy it must be bound, to a great extent, by public opinion. He can only propose a remedy which he thinks it possible may be adopted by the country. Could I, with any chance of carrying it, propose the remedy which I believe to be best, I would say that the very best form of government, in our present financial position—our position with regard to the Native race, our position with regard to the great debt which weighs us down—would be this: to have but one Chamber wholly representative, as the Provincial Councils were, forming the Parliament of New Zealand. I would have one great Chamber composed of at least a hundred members. A Chamber of that kind would secure an independence for the Government such as it cannot now enjoy. Honorable gentlemen are not aware, generally, of the trammels imposed upon the Government by those gentlemen in this House who either themselves have large claims—generally unjust claims—against the Government and personally push them forward for public land,

or who are endeavouring to get the Government to make improper concessions by which they would yield Native land to them, which Native land ought to be the property of the public at large. Not only is that the case: there are agents of such persons in this House who exercise a powerful influence upon the Government, and exercise an influence in this House which is most unfortunate for the public welfare, and for the independence of the Government; and I feel that so strongly that it is my intention, upon the motion for going into Committee of Supply, to move that a Select Committee be appointed to ascertain the number of persons in this House at the present time who have claims of the kind of which I speak—who have pushed them upon the Government, who have endeavoured to get the Government to concede some advantage to them, or who are agents of the persons of whom I speak; and when the inquiry has been made by that Committee, and a full report has been laid before the House, the House and the country will be made alive to the great difficulty I have pointed out. In a House of a hundred members that difficulty would be greatly avoided. I believe that persons with such claims are more dangerous than contractors, and ought to be equally excluded from the House. I believe that when gentlemen can come to this,—that they can write private and confidential letters to the Government asking for lands which are, and ought to be, the property of the public,—a great evil has crept in. They have an advantage over their fellow-men which ought not to be allowed, because no ordinary man, unless he had some influence over a Minister, would dare to sit down and write a private and confidential letter asking for that which ought to be open for all upon equal terms. A Chamber of a hundred members would put an end to a system of this kind. It would put the Government into a position of independence which it has never yet occupied, and would give a weight to this Assembly which would command attention throughout New Zealand, and would insure greater public confidence in its acts than has hitherto existed. I go further. I would then have an elective Governor, with a small salary such as the Superintendents formerly received, and he, to a great extent, would fulfil the functions of the Upper Chamber in regard to the great Chamber of one hundred members. A Constitution of that kind would save to the public at the present time some £20,000 or £30,000 a year; would give great efficiency to the government of this country; would educate a great many more men in a knowledge of public life; and would put an end to that system of jobbery which is so detrimental to the welfare of New Zealand. At the present time no man could perhaps propose such a plan with any degree of success; but within a very few years, if not now, such a system will, I believe, be brought into effect in this country. I think it will be carefully considered by the public; I believe a sense of its utility will grow up in most minds: but, at the present time, I feel it would perhaps be hopeless to contend for anything of the sort, although the greatest of modern writers admits that this would

Sir G. Grey

be the best of Constitutions where there is not a federal system. But I believe the country is prepared to welcome an elective Legislative Council, and I will now tell the House why I think it is the bounden duty of every honorable member to come forward and assist me in getting such a Council established. Let me tell them this: We, the House of Representatives, are confined within narrow limits, whilst the Legislative Council is nominated for life. We come in and go out; we are returned by our constituents, and we are rejected by our constituents, and there are continually a large number of new members coming into the House; while another body, living within the same walls, dining at the same table, reading in the same library, frequenting the same smoking-room and lobbies, has a fixed tenure of office. Now, it must be known to all that the permanent element in any great institution is the element which necessarily gives a tone to the whole. Those who are the first in an institution gradually give a tone to it, and acquire entire control and authority in the circle in which they live. Let any man carry back his mind to a public school. It is known by all that the oldest boys absolutely rule public opinion, and absolutely give a tone to the school, and make it what it is. Let those who have been in the army admit, as I am sure they will, that it is the old soldiers of a regiment—the old officers of a regiment—who give a tone to the regiment; who give it a character, and make it precisely what it is for efficiency and the faithful performance of its duty. Let those who have been in clubs consider the same thing. They will find that the first founders of a club give it a tone for years, and that a club follows the example set to it for good and evil by those who rule it in the first instance; exactly as a person who has lived in a colony in its early days will admit, as I am sure he will admit, that the founders of a settlement for many years make public opinion and give a tone to the settlement they first occupied. This is invariably the rule, and therefore I say it is impossible that the Legislative Council, as at present constituted, can live in the same building with us, be associated and mixed up with us, without giving a tone to this House, without that Chamber exercising great power over this House, and without it exercising an influence very prejudicial to the interest of the country as a whole. That danger is very much increased from another cause, because the Legislative Council represents landed property in the manner I have spoken of. Into that Council are also put men who represent great monetary corporations, and who, from that cause alone, have very great influence, for it may be that almost one-third of the members of the House are mixed up more or less in the affairs of that corporation. These gentlemen in the Upper House have all the weight and power which belongs to that corporation, and are able to put on the screw, or otherwise interfere with the members of the Lower House; and it may be, and is the case, that they sometimes exercise that influence for their own selfish ends, and without reference to the corporation from which they have derived their power. They must in-

evitably do so—they have done so, and they will continue to do so as long as there is a nominated Council in this country. We may be interfered with in every possible way. The Legislative Council may make a Ministry and they may destroy a Ministry, and interfere in every way improperly with the House. I saw, on looking at the newspapers the other day, a letter in which one member of the Legislative Council stated he had entered into communication with another member of the Council for displacing one Ministry and bringing in another—an unwarrantable interference with the House of Representatives. This sort of indirect influence must go on as long as a nominated Council exists, living with us in the same building, in the manner it does. Not only must that sort of thing go on, but it must be accompanied always with this painful reflection: However much the public may disapprove of the conduct of the members of the Legislative Council, there is for us no redress, and for the public there is no redress. Year after year these gentlemen return to this Assembly; year after year they exercise the same influence; year after year they acquire greater skill in manipulations of this kind; year after year their power is greater: and we have no appeal whatever to the public—we have no chance of their being removed if they displease the public. Perhaps they would not have been elected if there had been an election; yet for their lifetime they are to retain their seats, there being no redress for us, and no redress for the public. Then, to my mind, another most objectionable feature prevails with regard to this Legislative Council, and upon this subject I have been grossly misrepresented. The Colonial Treasurer the other night misrepresented me very much on the subject. I complain that certain chosen people, certain families, certain people from a governing class, get put into that Upper House over and over again. I am answered, "God forbid that the time should ever come in which persons who wish to serve their country should not be allowed to come down from the Legislative Council and work in this House for their fellow-countrymen." But that was not the question. The question was, Should certain people be put in that Council just when they pleased, having opportunities given to them which were denied to their fellows? The great mass of the people of New Zealand would not be allowed to go backwards and forwards to the Legislative Council in that way. The transactions of certain honorable gentlemen in regard to the Legislative Council have resembled what one would see in a kaleidoscope. You look through and see one person at the upper part, and one at the bottom: one turn of the kaleidoscope, and the man who was at the upper side is at the bottom, and the man who was at the bottom is at the top. It is a repetition of the same thing over again. Lately this has taken place with regard to the Premier of the colony and the present leader of the Upper House. I say this with no intention of making a personal attack, but merely for the purpose of explaining a fact which cannot be denied. The Constitution Act says this: If any member of

the House of Representatives chooses to resign he sends a letter to the Speaker, and as soon as the Speaker receives that letter the resignation is complete. On the other hand it says, if any member of the Legislative Council wishes to resign his seat, he sends a letter to the Governor, and upon the Governor being pleased to accept that resignation the resignation is complete, but not before. There is a mutuality of compact. One difficulty is, that we have Governors who do not properly understand the Constitution. If the law of New South Wales is looked at, it will be seen that it says this: that, if a member of the Legislative Council wishes to resign, he has to send a letter to that effect, and upon the Governor receiving that letter the resignation is complete, just as, in the case of a resignation here of a seat in the House of Representatives, it is complete when the Speaker receives the letter. A Governor coming here from New South Wales, when asked to consider about accepting the resignation of a member of the Legislative Council, answers, "I will decide it upon the principle I observed in New South Wales." The memorandum has been laid before the House. He has done something in New South Wales, and he will do the same here, although the laws of the two colonies are absolutely different. The question is not really understood, because, after all, what was asked in that case was to have an assurance from the gentleman resigning that it was a permanent resignation of his seat, and that it was not intended by him to come back at any future time to the Legislative Council. I say it is a most unfair thing for us that that power should be given to certain gentlemen that, the moment they are refused seats in this House by a constituency, they could immediately be raised to seats in that House, to remain there as long as they please, and then leave it again for the purpose of standing for a constituency of this House, and then have power at another time again to take a seat in that Council. The reason that makes that so objectionable is this, as I pointed out to the House just now: The moment the Legislative Council was created a body was created which was certain to do two things. The members of that body were certain to try to get for themselves and for their friends large landed properties. That is a necessity of the condition in which they are placed. A desire would then arise in the minds of those gentlemen to set up in some degree an imitation of the House of Peers, especially in their ambition to create large estates for their families; and you will find that gentlemen have been put in the Council from time to time to support these views, and that steps have been taken to set up large landed properties in this country, often by unjust means, so as to exercise an undue influence upon their fellow-men, and which properties are to be protected by privileges being given to them, and being taken away from the public at large. You have created a body which will certainly struggle for those ends; and it can be done in a thousand ways by gentlemen sitting in permanence as they do. A mere alteration in the fencing law may give to their property rights which it does not now possess. They can send that law down

Sir G. Grey

to this House, and this House will be powerless to resist it, because a law is absolutely required upon the subject. Yet that law may make provisions by which a man who has, say, 150 acres, and who is from poverty only able to fence 50 acres, will still be unable to turn his cattle on to the other 100 acres for fear that they will stray on to the land of a large landed proprietor, who will not be called upon himself to fence. In various ways of that kind it is possible for the Council gradually to create great interests in this country which really centuries would hardly be able to destroy. Then, Sir, they are certain to contend for their own rights in a way which may be most prejudicial to the public interests. They are certain to set up certain standing rules and orders which will be against the interests of all Her Majesty's subjects, and to persecute any person or persons who may not comply with those orders or who may endeavour to get them altered. There was a recent case in which a Committee of the Legislative Council was appointed to inquire into certain Native land transactions in Hawke's Bay, and it appears, as far as can possibly be seen, that one witness examined before that Committee gave evidence which was untrue, and it is alleged that that evidence was given upon oath. That evidence was one of the main causes which prevented legislation taking place for the benefit of the Natives, so that in truth that evidence said to be given on oath poisoned the very fountains of justice and prevented a righteous act being performed towards the Natives; and yet the Council, standing on its alleged rights, will not permit that its officer shall give evidence to prove that the person was sworn. And not only would it not permit that to be done, but—instead of feeling indignation at the person who had so deceived them, and by his evidence prevented justice being done to the Native people—they tried to persecute the persons who endeavoured to convict him of the offence, and would not allow any inquiry to take place. It is certain a permanent Council of this kind must intrench itself in every possible way to insure a false dignity—that it will endeavour continually to get laws made in pursuance of its self-interest. It is quite impossible that such a Council can contend only for great principles. For that cause, again, another reason is given why an alteration is necessary in the present constitution of the Council. I believe the whole of the colony desires that a change should take place; that the people feel it is monstrous, as I confess I do myself, that certain gentlemen, who have no claim for any public services rendered, who have no claim on account of great ability, on account of great knowledge shown, who have no claim on account of anything which they have done for their fellow-men, should, for life, sit in the Council and be able to exercise such an influence over the whole destiny, the whole property, every single thing, that belongs to myself, and that I should have no voice whatever in choosing the men who sit there—in fact, men whom I might consider objectionable in many ways—unsuited by education, by experience, by their interests, by the pursuits in which they are engaged—to legislate

for myself and the rest of the inhabitants of New Zealand: and yet, without any consent on my own part, I am bound to sit down and yield to a law which I may abhor in my heart, but which they have forced on the country. I feel that my own case is the case of many other persons in this country, and I believe that, from one end of it to the other, there is a desire—a burning desire, I may say—that some change should take place, and that the Council should be thrown open to the Queen's subjects at large to take their seats there with the consent and desire of their fellow-citizens. Now, Sir, feeling thus strongly, I have thought of the best way in which such a change can possibly be brought about at the present moment; and, after reviewing, in fact, every plan that presented itself to my mind, and conversing over the subject with many men, I have come to the conclusion that the best thing to do is to revert, as far as possible, to the original intention of an elective Council, which was to accompany the Constitution Act. Now, we have here truly two great electoral districts, two true electoral districts—that is, districts possessing different climates, yielding different products, inhabited by different races—because the Middle Island is inhabited almost entirely by Europeans: it contains very few Natives. The Northern Island is inhabited by a large number of Europeans and by a considerable number of Natives. Each of them possesses elements of difference which quite qualify them to constitute really separate electoral districts. They constitute very much what were regarded as provinces under the old Constitution Act: that is, if you treat them as two great electoral districts, and make them separately return members to a common Chamber, you bind together the inhabitants of a common country, men who must obey the same laws, who must exist under the same Government, and yet with such great differences between them that, whilst each district might not consider certain laws best for itself separately, they would regard them as the best that could be adopted for a united nation. Such being the case, what I would propose is, to look upon the North Island as one great electoral province, and on the Middle Island and Stewart Island as another, and to let them choose representatives for the Legislative Council. What I propose with regard to the number is, that the Council should consist—of course, this could be altered in Committee; it is only the idea of one man, thrown out for consideration—of twenty-seven members. The number of members has been based on a consideration of the Legislative Councils of other colonies. Victoria has 30 in its Legislative Council; Tasmania, 16. The Victorian Council is elected under a peculiar system. The Tasmanian Council is elected. The South Australian is elected, and has 18 members. Queensland has 30 members; New South Wales, 39; the Cape of Good Hope, 21. The New South Wales Council is nominated; the Cape of Good Hope Council is elected. Canada has 78 in its Council and 206 in its House of Representatives. New Zealand has 43 in its Legislative Council at present. Now, I propose to take Canada as our model. I therefore propose that the Council

should consist of 27 members—that is, 12 Europeans elected by the European electors of the Middle Island and Stewart Island, 12 Europeans elected by the European electors of the North Island, 2 Natives elected by the Maori electors of the North Island, and 1 Maori elected by the Maori electors in the Middle Island and Stewart Island. What I conceive to be the advantage of such a Council would be this: It would be impossible almost that any man could be elected to it who had not some considerable weight in the country in which he lived. The electorates would be so large as to secure the return to the Council of good men. The successful candidate must occupy a considerable position in the eyes of his fellow-men. In that way I believe you will get a thoroughly good Legislative Council, a very good Council indeed, and, being an elected body, no person would have the same objection to abandoning public life and going into the Council as now. There would be no reason afterwards why he could not be elected to this House if he pleased. It seems to me that then your Council would be in this position: It would have under it a House of Representatives. That House of Representatives would be made up of members sent by comparatively speaking small constituencies, and who would represent local interests. The members of the Legislative Council, elected by large constituencies of that kind, might be said to represent great questions; they would, in some degree, soar above the petty cares which would occupy the House of Representatives in this country of providing for their respective localities, and for the interests of the constituencies that returned them. They would look to the welfare of larger matters than that. It may be said—and in this there is much truth—that an elective Legislative Council would be a real power in the country, and that, if it came into collision with this House, very great difficulties might arise. The answer I make to that is this: that that might be true if it were a permanent Council. The Council, as I propose, is only for three years, and no difficulties of that sort could, I think, take place. It is possible there might be a collision between the two bodies, but the country would soon determine which of the two it would support, and that which was so supported ought to prevail. Under the proposed plan this House can be dissolved at any time by the Governor, and the members sent back to their constituents. The Legislative Council would continue for three years. It would be almost impossible that the elections could take place at the same period of time, because it is proposed that the election to the Legislative Council shall take place on a fixed day every three years. It is not likely that the elections to each body would fall at the same time, probably not even in the same year: it would be almost certain they could not fall in the same month of the year. I think no difficulty would arise from that cause, and I believe, from the adoption of the system in the way I put it, you would secure legislation thoroughly in accordance with the wishes of all the inhabitants of New Zealand. I think it would be impossible that a Legislative Council so chosen would ever acquire an influence such as that which I am

certain the nominated Council has acquired. I am certain that the large influence of the present nominated Council will increase and extend, and become more pernicious every year. To avoid a difficulty of that kind is alone worth a sacrifice and worth a great effort. I think all the other points with regard to the Legislative Council contained in this Bill must be thoroughly in the minds of honorable members. They must see and understand the whole thing from the Bill itself. In fact, it is nothing more than a change of the existing Legislative Council into a new form, leaving everything else untouched. I will not keep the House longer. I have explained the general outline of the plan: I have endeavoured to explain the details. I have explained the necessity which I think exists for the establishment of a Legislative Council of this kind; and I shall have an opportunity, in reply, to answer any objections made—giving more explanations, if necessary, and also meeting any propositions which I think worthy of further consideration. Thinking, therefore, I have done enough for the present, I shall now leave the matter in the hands of the House, until the opportunity occurs of giving any further explanations that I may consider necessary.

MR. ROLLESTON.—Mr. Speaker, at this late hour I do not propose to take up the time of the House at any great length. I am quite satisfied that the House generally listens with great respect to anything that falls from the honorable gentleman on large constitutional questions such as this is. I think we had at this time a right to expect from him a very clear explanation of the reasons which induced him to bring down a great change at so late a period of the session, and I am sure that after listening to him the House generally feels somewhat disappointed. The honorable gentleman opened his speech by saying he would first of all devote himself to discussing the general principles upon which the Legislative Council was constituted. He said he would deal generally with the powers of that Council—that they were very great powers, that they were powers which were exercised for the interests or otherwise of their fellow-men to such a degree as demanded the very greatest care and caution in the mode of constituting such a body. The powers, he said, of legislation were almost Divine. They enabled such a body as the Legislative Council to dictate to men how they were to live, and move, and have their being; they enabled them to dictate the terms upon which people were to suffer death; the members of that body had power to determine poverty and wealth, misery and happiness, to an enormous degree; and he argued, rightly, that the constitution of such a body ought to be influenced very largely by the people whom it ruled as one branch of the Legislature. He went on to show that in the Old Country—England—the tendency had been to make a Conservative body of this branch of the Legislature; that a Conservative body naturally and necessarily grew into a body which regarded the rights and advantages of its own members, as opposed to the liberal party and the liberal branch of the Legislature, which dealt with general principles and

with the progress and happiness of men, rather than with the rights of the body itself. He went on to show that that had evidently been the course in England—that in England, as I understood him, there were a State Church, a landed aristocracy, and an hereditary monarchy, and all these things the Upper House was to conserve. And then he went on to consider the state of things in New Zealand. When we first came here as a body of colonists there was little to conserve; but, as time went on, the Legislative Council, as constituted here, grew into a body which had the landed estate at heart, and which dealt selfishly and graspingly, in their own interests, and not in the interests of the people of New Zealand at large. He said, as I understood him, that a great deal of this was the result of the way in which the Legislative Council was constituted—that the Council was constituted in opposition to the wishes which he himself had expressed; that, if his will had been given effect to, it would have been a body elected by the local Legislatures—the Provincial Councils. Well, Sir, I am not now going into what the Legislative Council might have been then; nor am I going to say that the Legislative Council is a body the constitution of which is not open to amendment. But I am going to say that the present Bill is ill-timed, that its provisions do not meet the requirements of the case as put by the honorable gentleman, and that he has not made out a good case or stated his case fairly, so as to show that the state of things which he has suggested should be brought about. He said the country was prepared for a great change in this body. Now, I must say that I think it will be admitted that through the country generally there has been no cry against the Legislative Council. Whatever its constitution in the past, there is no doubt it has been very largely in sympathy with the people generally, or the people would have made their voices heard in regard to its constitution. The honorable gentleman says great evils have arisen from the association of the two branches of the Legislature—that the Legislative Council has given a Conservative tone to this House, that they were like old soldiers amongst us, that they affected us, and that it was solely owing to them there was any Conservative feeling in the country. And, furthermore, he said there was an interference through them with the Ministry, and there was no redress for the wrongs we were constantly suffering from them. I do not think that the honorable member has made out his case in any one point. I ask the honorable gentleman to take the list of the members of the Legislative Council. His great objection is, that it is a body in which there is no hope of change—that they are appointed for life, and the duration and tenure of their office is the great evil of their constitution. I take the roll as it stands at present, and I find that there are only two members in the Council now who were members of it in 1858, and one who was in it in 1853. In 1870 there was the largest number of members; but in 1877 and 1878 there were no less than seven new members out of a total of forty-three. It must then, I think, be admitted that there has been considerable change in the

Sir G. Grey

Legislative Council from the commencement up to the present time. In 1864 there were twenty-eight members of the Legislative Council, and no less than eighteen of those are gone. There have been eighteen changes since then; and that, I think, is sufficient to show that there has been constant change in the Legislative Council. And then, with regard to the honorable gentleman's proposal that there should be one Chamber of a hundred members, and an elective Governor, I quite agree with him that that is not at all likely to be put in force for many years to come. For my own part I trust it never will come into force. I am confident that the country at large feels the advantage of having two Chambers, checking each other. What we want, as I understand, is, first of all, a body that will avoid collision with this representative Chamber; secondly, a body in sympathy with the mass of the people throughout the country; and, thirdly, a body which will check and revise any hasty legislation. I venture to say that during the past few years this has been eminently the function of the Legislative Council, as it has existed in this country. If it had not been for the Legislative Council, I have no hesitation in saying the public works scheme introduced by Sir Julius Vogel would have been an utter failure. Again and again the people have felt that it has exercised a salutary check upon the progressive desires of the popular body, which at times has attempted to run away on popular questions, and plunge the country into financial difficulty. As I have said, what we want is a body to check and revise our decisions, and a body that will be kept in sympathy, not only with the people, but with this Chamber. But the honorable gentleman seems to treat the Legislative Council, because it is nominated, as a body with regard to which we have nothing to say—that we have really no voice in the appointment of its members, and no redress for the wrongs inflicted upon us through their being appointed as they are now. But what is the case? What has been recognized in Victoria? That, if you give up nomination by the Ministry of the day to the Upper Chamber, you lose the very power that brings that body into sympathy with the people. If you have an elective Upper House, as proposed in this Bill, you create a body that will come into collision with this Chamber as surely as possibly can be. There are two ways in which, it seems to me, a second Chamber can be constituted—either as it is here, by simple nomination, by which men possessing the confidence of the House from time to time make recommendations to the Governor to place members in the Upper House; or you may have an elective body, elected by large constituencies, as proposed by the honorable gentleman; or, again, you may have that mode of election by the Provincial Councils originally proposed by the honorable gentleman—that is, by the governing bodies of districts within the colony. You may also have it nominated, with a limitation to its numbers. For my own part, I look upon parliamentary government as a thing so delicate in its machinery that any attempt to place a limitation upon the numbers of that body would be likely

to lead to conflict. There would arise a feeling in the minds of members of this House that they had no remedy against the power of the Upper House in case of the two Chambers coming into conflict, and there would be a feeling, on the other hand, in the minds of members of the Legislative Council that they had a greater power, which they could exercise against the will of the people, than they now possess. It is the maintenance of that delicate machinery—that check and countercheck—which brings the Legislative Council into sympathy with this House. My opinion of the proposal of the honorable gentleman is, that it is a direct step towards the separation of the two Islands. I see no reason for it. I think the honorable gentleman gave no reason for it in his remarks. I am disappointed that he should not have given better reasons for a Bill of this kind, and I hope the House will pause before it in any way gives consent to so crude a proposition as is now before it.

Mr. DE LAUTOUR.—I do not know that a more important question could be brought before the House this session, and I should be sorry to see it dismissed at this late hour of the night with scant courtesy. It is a little difficult to understand from the Minister of Lands what is the mind of the Government on this matter. He certainly told us that he does not himself think that this Bill would meet the object which the mover has in view, and he described it as a subtle attempt to bring about a separation of the two Islands. He also repeated some of the earlier portions of the mover's speech, which, greatly as I admired them in the original, I did not so much appreciate upon repetition. I thought the honorable member was repeating the utterances of the mover with the intention of refuting the statements and arguments he had advanced; but I found out he was doing no such thing. He was repeating them, so far as I could see, merely for the purpose of making out some sort of speech in reply, because he did not in any way attempt to show that the statements he repeated were untrue, or were at all in opposition to the other arguments brought forward by the mover. I think the real reason why the time has come when the House will have to face a reform of the Legislative Council is in reality the demoralization of the Lower Chamber. I think it can be shown by argument that the Lower Chamber has drifted into such a state of demoralization as that exhibited this year simply because of the existence of the Upper Chamber: that is, the Lower Chamber from year to year has been shifting the responsibility of its real work on to another place. Instead of its attention being directed to the careful framing of perfect laws for local government, and the preservation of the rights and liberties of the people, which have been relegated to the obscurity of another Chamber, the time and energies of this House have been mainly occupied with party contention and strife, log-rolling, jobbery, the purchasing-off of opponents by giving them place and power, and latterly by memoranda marked "Private and confidential," so that by any means the Government of the day may retain their seats,

while laws may be made and perfected elsewhere. If it were not for the existence of the other Chamber this House could not have drifted into such a state of things as we have had to lament. It would be necessary to perfect the laws in the Chamber in which they originated if there were no place outside in which a policy could be administered and laws perfected. I think the real point at which the country will be brought up is the state into which the Lower Chamber is getting—and will get, because we are not at the end of it yet. It is not the first time it has been said that this state really has proved what has been foreseen by public men of far longer standing than myself—that party government, as carried on in New Zealand, in the state into which it has now drifted, has become impossible, and that some other system must be originated or adopted—I care not which—in order that satisfactory government for the people of the country may be arrived at, and that the Government may be able, apart from the tremendous pressure put upon it from all sides of the colony and of this House, to carry on the administration honestly and for the real welfare of the people they govern. All sides of the House must admit that. In fact, they all admit the utter emptiness of the shams of older countries into which we have drifted, with the endless mockery of those forms and shams; and whether an actual reform of another place would, by placing the members constituting that Chamber in a position of responsibility to large constituencies in the colony, thereby tend to improve this Chamber or not, of course I cannot say. But we cannot stand still where we are. I would go the whole length in my admiration of the mover of this Bill, and am perhaps carried away by that admiration of the views he expressed—that there should be only one great Chamber, really responsible to the people, which must feel its own responsibility by not being able to remove therefrom the perfecting of the laws, and practically the government of this country. And thus, brought up by that responsibility—which we cannot shift on to others—we shall get out of the inutile position in which we are at the present time. There must be in the mind of every thinking man in this House the feeling that, do as he will and feel as he may, he cannot perform his duty conscientiously. He knows and feels that his work in this Parliament is no use at all. He must feel that his life here of three months or six months in the year is a sacrifice at the expense of his own time in which he should raise himself and provide for his family—a sacrifice which is perfectly thrown away, because his efforts to do good for his country are useless, and are thwarted by the state into which we have drifted. That is the feeling which strikes me. It may be a feeling arising from morbidness of temperament; but can any honorable member, who has been in the House three or four years, feel that he has helped the country in any degree—that it has been a matter of pride to him, that he will be glad to remember at any future time, that for three or four years he was a member of the Legislature of New Zealand? It is idle to say it is the

Mr. De Lautour

fault of one side or the fault of another. Such crises are not the faults of individuals. They are the natural outgrowth of that which is now no longer adaptable to the work which it once discharged with some degree of perfection. There is no standing still in these matters. I venture to think the time has now come when we must effect a radical reform in the Constitution, leading to greater perfection in government. I do not wish that any feeble words of mine should in any degree pale the speech which fell from the mover of this Bill. To my mind it was a speech that will be remembered, not only by this House, but by the people of New Zealand, for many years to come. The day will arrive when, although there is not to-night an enthusiastic audience in this Chamber, the people of New Zealand will recognize the utterances of one whose heart and mind are wrapped up prophetically in the best interests of this country. I was not disappointed, and I venture to think these words will not altogether fall to the ground. As to the rejuvenation of the Legislative Council which the Minister has told us is constantly going on by the infusion of new blood, I would venture to point out to him that in many of these cases the creations are creations of the Council itself. Let us take the last instance. An honorable member of the Legislative Council comes down to this House and calls another gentleman to fill his place in that Council. That instance of creation is very typical of what is going on in the rejuvenation of that Chamber. It is a sort of rejuvenation which is not at all indicative of any infusion of popular sentiment into that Chamber. It is merely a shuffling of the pack; and the oftener it is shuffled the worse the result is. I have no wish to delay the House, or in any way to mar the utterances which have fallen here to-night. I was unwilling that such a question should be allowed to be adjourned without some feeble expression of my mind on the subject; for I do feel that we must face the position in the interests of New Zealand.

Mr. TOMOANA.—I should like to have this Bill translated, that I may know what is in it. This Bill contains some very important principles indeed. Whatever benefits will accrue from this Bill will not accrue to one race, but to both. That is why I express the desire to have it translated. I am inclined to think that the Parliament in England is different from the Parliament in New Zealand as constituted at present. Perhaps the members of the Upper House in England are great chiefs. If this Bill passes, it may provide that this House shall have the same power of framing laws as the other has. There is another feature that I should like to point out. There may be some persons who attempt to get into this House, and, not being returned, the Government may take it upon themselves to call them to the Upper House.

Mr. THOMSON moved the adjournment of the debate.

Agreed to.

Mr. MURRAY said the House should not countenance the bringing-forward of these revolutionary and theoretical motions at this period of

the session, when honorable members had a great deal of business to get through. The honorable member for the Thames had had an opportunity of stating his case to the House and the country, and nothing more would come of it this session. The country was not ripe for any such change. In order to allow of the pressing business of the country being proceeded with, he would move, That the debate be adjourned for three weeks.

Mr. SPEIGHT apprehended that the object of the amendment was to shelve this question. It would have been more honorable and dignified if the honorable gentleman had tried to effect that object on the motion itself. The honorable member had told them that these were revolutionary theories. If there was any honorable member who brought forward revolutionary theories and crotchets innumerable, it was the honorable member himself. The proposal of an elective Upper House was no new theory by any means. The honorable member for Bruce had told his constituents that he had only one object in coming into the House, and that was to pass the Drainage Bill. The sooner that Bill was passed and the honorable member took his departure the better. He (Mr. Speight) did not agree with the elective Upper House as proposed by this Bill, as he thought it was too radical; but the principle of the Bill was one that the country called for, and would force upon the consideration of the House sooner or later. There was a good principle involved in the proposal, and, no matter how honorable members might deal with it at the present time, the colony would speak out loudly upon the subject. He had expressed a few days since the idea that the Upper House should represent property, and that, in any change that was made, some consideration for that principle ought to be borne in mind. The particular feature he objected to in this Bill was that which made the same class of electors elect the Upper and the Lower Houses.

Major ATKINSON said the honorable gentleman was discussing the principle of the Bill.

Mr. SPEAKER said the House had decided that the debate should be adjourned, and the only question was as to the time to which it should be adjourned.

Mr. SPEIGHT thought that the adjournment should be to the earliest possible period, so that the Bill might be discussed and approved of or rejected.

Mr. TURNBULL thought honorable members should allow the Bill to be discussed, as it was one of very great importance, and one that would be forced upon their attention. He hoped the honorable member for Bruce would act honorably and fairly, and not attempt to shelve the Bill. He would support the adjournment of the debate until this day week.

Major ATKINSON hoped the House would support the adjournment of the debate until this day three weeks, seeing that a number of Bills, and the financial proposals of the Government, had yet to be considered. They knew that the finances were in a most unsatisfactory condition, and it was quite certain that the only possible time they had to spend on legislation must be

taken up almost entirely in considering the important Government measures before the House. If they spent a week in discussing this Bill it would not be advanced any further than at present. It was a measure that could not be dealt with in one session. The honorable member who had introduced it had laid his views before the House and the country; and in another session, when they had time, they might go into the subject. The honorable member knew that it was absolutely impossible to dispose of the question this session. He appealed to honorable gentlemen to address themselves to the consideration of the business that must be disposed of, and give honorable members who had Bills on the Paper some prospect of getting those measures through the House. It was quite certain the House would not stop beyond the first or second week in December, and it would take all that time to do the business they were called upon to do, if they did their duty to the country. He trusted the House would agree to the adjournment of the debate for three weeks: it was impossible to carry the measure this session.

Mr. ANDREWS would object to the amendment. He would prefer that the House should sit up all night and dispose of the Bill. The matter had been clearly and fully brought before the House, and consequently before the people of New Zealand, and something might come from this Bill during the next session of Parliament. He thought it was high time that something should be done towards the reconstruction of the Upper House, but agreed with the honorable member for Auckland City East that some simpler and better mode could be devised than that now proposed. Whatever might be his own views on the subject, it was a very general wish in all parts of his constituency that the question of the constitution of the Legislative Council should be dealt with immediately; and he hoped the honorable member for Bruce would withdraw his amendment, and that the House would dispose of the matter at once. His own opinion was in favour of this House being the body which should elect the Legislative Council.

Mr. SWANSON, as time seemed to be the principal object, would suggest that the discussion should be taken on Saturday. He could hardly realize the idea of a candidate stumping the North Island from one end to the other, and canvassing for votes: he would be pretty well forgotten at one end before he arrived at the other. Nearly the whole of the three years might be taken up in the endeavour to see the voters. Some good might result from honorable members expressing their opinions on the Bill, but he could not conceive what use there would be in passing it, because it could not become law without the other House agreeing to it, and he fancied that the present Legislative Council were not likely to vote themselves out of existence. He thought they would have to be bought out—some compensation clause introduced. He could not quite see how the question was going to be dealt with practically; but there could be no harm in talking it over. It was certain that the people were thinking a great deal about it.

Mr. SUTTON said the Bill provided the machinery for a new Legislative Council, but did not provide any means for doing away with the existing Council.

Mr. LUNDON hoped the honorable member for Bruce would withdraw his amendment, and that the Bill would be allowed to take its course and share the fate of those innocents which might have to be slaughtered at the end of the session. As the Colonial Treasurer said, there was a great deal to do, and there was no possibility of passing the Bill this session. The country wanted lands opened up, and roads and bridges constructed, and members wanted to get home. He hoped therefore the debate would be adjourned till Wednesday, when the Bill would come on the same as other measures.

Question put, "That the words 'Wednesday next' stand part of the motion;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	20

Majority for	...	...	...	2
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AYES.

Mr. Ballance,
Mr. Barron,
Mr. J. B. Fisher,
Mr. George,
Mr. Gisborne,
Sir G. Grey,
Mr. Hutchison,
Mr. Lundon,
Mr. Montgomery,
Mr. Moes,
Mr. Reeves,
Mr. Reid,

Mr. Seddon,
Mr. Shephard,
Mr. Shrimski,
Mr. Speight,
Mr. Swanson,
Mr. Tainui,
Mr. Tole,
Mr. Tomoana.

Tellers.

Mr. De Lautour,
Mr. Thomson.

NOES.

Major Atkinson,
Mr. Bain,
Mr. Beetham,
Mr. Bowen,
Captain Colbeck,
Mr. Hursthouse,
Mr. Oliver,
Mr. Pitt,
Mr. Pyke,
Mr. Rolleston,
Mr. Saunders,

Mr. Seymour,
Mr. Stevens,
Mr. Sutton,
Colonel Trimble,
Mr. Wakefield,
Major Willis,
Mr. Wright.

Tellers.

Mr. McLean,
Mr. Murray.

PAIRS.

For.

Mr. Allwright,
Mr. Andrews,
Mr. Brown,
Mr. J. T. Fisher,
Mr. Hamlin,
Mr. Hielop,
Mr. Ireland,
Mr. Macandrew,
Mr. McDonald,
Mr. Sheehan,
Mr. Stewart,
Mr. Tawhai,
Major Te Wheoro,
Mr. Turnbull.

Mr. Swanson

Against.

Mr. Ormond,
Mr. Studholme,
Captain Russell,
Mr. Richardson,
Mr. Brandon,
Mr. Bryce,
Mr. Fulton,
Mr. Hall,
Mr. Moorhouse,
Mr. Whitaker,
Mr. Levin,
Mr. Gibbs,
Mr. Richmond,
Mr. Driver.

The amendment was consequently agreed to, and the debate adjourned until Wednesday next.

The House adjourned at one o'clock a.m.

LEGISLATIVE COUNCIL.

Friday, 14th November, 1879.

First Reading—Second Readings—Third Readings—
Middle Island Maoris—Middle Island Native Doctors
—Kaiapoi Native Reserves—Wellington Railway
Station—Timaru County—Local Bills—Harbour
Defences—Fencing Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

Ashburton County Council Waterworks Bill.

SECOND READINGS.

District Law Societies Bill, Primitive Methodist Temporal Affairs Bill.

THIRD READINGS.

Elections Validation Bill, District Law Societies Bill.

MIDDLE ISLAND MAORIS.

The Hon. Mr. TAIAROA asked the Hon. the Attorney-General, Whether the Government will take into their consideration the case of the old decrepit Maori men and women in the Middle Island—many of whom are destitute—and afford them some relief? Some of these people did receive gratuities from the Government, but there were many farther south than Kaiapoi who did not receive anything at all, and they were, in many instances, in a very sad condition.

The Hon. Mr. WHITAKER said the Government had already provided for a number of indigent Maoris out of the Native "Contingencies" vote, and, if there were any cases known to the honorable gentleman which had not been relieved, and he forwarded a list of these cases to the Government, they would be taken into consideration. As to the general question whether all indigent Maoris should be provided for by the State, it was a matter of weighty consideration, but would receive the attention of the Government.

MIDDLE ISLAND NATIVE DOCTORS.

The Hon. Mr. TAIAROA asked the Hon. the Attorney-General,—(1) What the Government intend to do with regard to the Native medical attendants in the Middle Island—whether they will pay them regular salaries as Native medical officers, and also defray the cost of medicines; (2) whether the doctors who attend the Natives at the present time are paid by Government; and (3), if so, if it is their duty only to attend the destitute, and not those possessing means among the Maori people? He was aware that in some cases the doctors did receive salaries, and he thought it was better that they should all be placed on the same footing.

The Hon. Mr. WHITAKER said there were already four medical attendants for the Maoris in the Middle Island who received salaries, and five others were provided for out of the Natives Reserves Fund. The duty of the doctors was to attend destitute Natives, and supply them with medicine.

KAIAPOI NATIVE RESERVES.

The Hon. Mr. TAIAROA asked the Hon. the Attorney-General, Whether the Government have brought "The Kaiapoi Native Reserves Act, 1877," into operation; if so, whether any steps have been taken, or are likely to be taken, to have a sitting of the Native Land Court held, to inquire into particulars respecting the Natives entitled to the land?

The Hon. Mr. WHITAKER replied that the Kaiapoi Native Reserves Act had been brought into force, and an Order in Council, dated the 4th October, 1879, had been issued, directing the Native Land Court to adjudicate on the matter. The Proclamation would be found in *Gazette* No. 107, page 1434.

WELLINGTON RAILWAY STATION.

The Hon. Mr. P. A. BUCKLEY asked the Hon. the Attorney-General, When the Government intend to construct a railway station on the reclaimed land in the City of Wellington, and if any site has been selected for that purpose? He said the importance of the matter must be his excuse for putting the question upon the Order Paper. Some time ago certain promises were made to the people of Wellington that a work of this kind should be done, but as yet there was no sign of that promise being fulfilled.

The Hon. Mr. WHITAKER said the Government intended to construct the station. A site had been selected, but had not been absolutely determined upon, because its fitness must depend to some extent upon where the principal station was placed. An appropriation for the work would be proposed, and the work would be proceeded with.

TIMARU COUNTY.

The Hon. Mr. ACLAND, in moving the motion standing in his name, said honorable members would recollect that some days since he put a question to the Attorney-General as to whether the Proclamation of the proposed new county, dated the 2nd October, 1879, would come into force at the end of the present session, unless a resolution were passed by both Houses of the General Assembly to the effect that such new county should not be constituted. The answer was that the Act was doubtful upon the point, and that the whole matter would have to be determined by a Court of law. That appeared to him (Mr. Acland) to be an unsatisfactory state of things. It showed at once that the Counties Act required alteration. If the construction of the Act was that "next sitting" meant the next sitting of the House, it was a very dangerous construction, because it would give any Ministry power, if they so wished, to proclaim a county just before the end of the session, and thus take away from the Assembly the ability to prevent the constitution of such a

county. However, in this case, the county was proclaimed a few days after the session commenced, and there had been plenty of time to think over the matter. The only question was, whether this session was the time for the Parliament to veto the constitution of the county, or whether it should be done next session. Still, there was a doubt in the matter; and, if the session concluded without a motion of the kind he had brought forward being passed, the question would have to be remitted to a Court of law. That meant putting the County Council to a grievous expense, and it was undesirable that the local bodies should be put to any expense for such a purpose. That, in itself, was quite sufficient reason for passing the resolution; but it was not the only reason which existed. No doubt the petition presented was in proper form, and three-fifths of the ratepayers in the district proposed to be created into a county did assent to it; but the residents in other parts of the present Geraldine County had the greatest possible objection to the proposal. This petition was presented on the 4th July, and the immediate result of that was that the residents of the adjoining riding of Mount Cook got up a petition to have their riding constituted into a county also. For that there was a special reason. The members of the new County of Timaru, which had been the Levels Riding, found their district was not sufficiently large to meet the requirements of the Act, and so it occurred to them it would be a good thing to go into the next riding and steal a bit of their neighbour's county in order to secure the necessary amount of territory. The next riding happened to be the Mount Cook Riding. Mount Cook Riding then presented a petition to be constituted a county, and the part of the county proposed to be annexed presented a petition, signed by three-fifths of the ratepayers, asking that they should not be included in the new County of Timaru, but in the new County of the Levels. He believed the Levels did not wish to break up the county, but they objected to the new County of Timaru being constituted. The same feeling was exhibited in another part of the county, Mount Peel, from which he had presented a petition against the constitution of the new county and against the old county being broken up. It would be a great pity if the county were broken up. In its present condition it was of sufficient size to carry on public works; but, if it were broken up and every Road Board were allowed to become a county, there would not be sufficient strength to carry on the works. He felt very strongly on the subject. He did not think it desirable that the counties should be so broken up, and that mere Road Boards should be intrusted with the large powers that the counties had. Therefore he hoped this matter would, at any rate, be postponed till next session, when the parties might, if they wished, again petition for the constitution of this new county. Therefore he moved the motion standing in his name.

Motion made, and question proposed, "That, in the opinion of this Council, the proposed new County of Timaru should not be constituted."—*(Hon. Mr. Acland.)*

The Hon. Colonel BRETT asked the Attorney-General if the Act did not provide for this matter. He would be glad to know, because there was now a petition on the subject before the Petitions Committee.

The Hon. Mr. WHITAKER said the proposal before the Council was strictly in accordance with law. New counties could, under the Act, be constituted under certain conditions, and in this case those conditions had been complied with; but a new county could not be constituted if resolutions against it were passed by both Houses of Parliament. In consequence of that provision, he presumed, his honorable friend had proposed this resolution.

The Hon. Colonel WHITMORE said he had been unable to come to a satisfactory conclusion as to the merits of this matter, but, speaking generally, he was opposed to the policy of subdividing counties, and more disposed to merge one or two of the present counties into one larger county, in many instances. Some of the counties were very little larger than ordinary road districts, and it was inconvenient that the county system should be allowed to be reduced to such a caricature. As to the point which the honorable gentleman had raised with reference to the Proclamation, and whether or not it was to take effect after the next session or after the next sitting-day, he confessed he had been entirely involved in a legal maze ever since the question was first raised. The Government to which he had belonged came to the conclusion that the "next sitting" meant next session; but high legal opinions were afterwards given in a contrary direction; and at last the Government decided to comply with the form of laying the Proclamation on the table, leaving it to the Parliament to decide whether or not the county should be constituted, and they therefore took the second advice, which appeared to be most generally accepted. Then, it was a moot point whether the word "may," in clause 14 of the Act, should not be read "must," but he apprehended it was not the intention of the Legislature to throw upon the Government the responsibility of deciding a matter in one direction, in order that the decision might afterwards be reversed by Parliament. The proper place for the Government to declare their views would be in Parliament. He was doubtful whether the view adopted by the promoters should be allowed to be carried out, but, inasmuch as he had not heard the arguments in favour of it, he would suspend his judgment for the time being; perhaps some information would be obtainable in the other House. All the late Government did was to say that the application was in proper form, and they issued the Proclamation in the way prescribed by law.

The Hon. Mr. WATERHOUSE, in the absence of any information as to the advantage of establishing this county, should vote for the resolution of the Hon. Mr. Acland. He thought they ought to have positive information that the division was necessary before they assented to the proposal. Otherwise the result would be that they would see the counties dwindle down to the duties of Road Boards, and so the spirit, if not

the letter, of the Act would be entirely destroyed. As regarded this power of altering counties, he thought a mistake was made by the Legislature in its legislation of 1876. He called attention to the circumstance at the time, and the correctness of his views seemed to be established by the present discussion. Under the Counties Act the Proclamation was to issue upon application of a certain proportion of the residents, and it was to come into force unless both Houses of Parliament united in opposing it. It appeared to him that that was reversing the proper order of things. The establishment of new counties was a new act, and, if either House of Parliament was opposed to its being done, then it ought not to be proceeded with. He thought that this matter deserved every consideration when any revision of the Counties Act was proposed, because, as honorable members would see, the preponderance of power was placed in the hands of local bodies, while the Legislature was deprived of that power usually exercised by Legislatures. Unless both Houses agreed, there could be no veto. He thought the opposite course should be followed, and that, if either House passed a resolution opposing the act, it should be sufficient to prevent the erection of the new county.

The Hon. Mr. HOLMES was opposed to any question of this sort being dealt with until the whole question of local self-government could be entertained. When the abolition of the provinces took place, it was the intention of the Government, by the system of local self-government which they introduced, to anticipate all the wants of localities, and to provide a cheap form of government; but, from the experience they already had of the working of these bodies, it was found that the double system involved the waste of a large amount of the money belonging to the ratepayers, without any corresponding advantage being obtained. There were two staffs of officials to do the same duties. There were the Chairman of the Road Board and the Chairman of the County Council; members of Road Boards, members of County Councils; secretaries, valuers, collectors, treasurers, and so forth to each body: in fact, two staffs of men to perform precisely the same duty, which could be much better performed by one set. He should vote for the motion of his honorable friend Mr. Acland, because he did not believe it was proper to go into any partial change of the constitution of counties and Road Boards until they had a Bill before the Council dealing with the whole subject. Let them either sweep away counties altogether, and establish Road Boards to do the whole work; or let the Road Boards be abolished, and the whole power be placed in the hands of the counties. He hoped the time was not far distant when the whole subject would receive consideration at the hands of the Government and Parliament.

The Hon. Mr. WHITAKER thought that this county ought not to be allowed to be constituted at present, as there were strong reasons against it. In the first place, he presumed that the question of local self-government would have to be considered carefully by the Government of the day, and probably some comprehensive measure would

Hon. Mr. Acland

be introduced on the subject next session. No doubt there was a considerable amount of dissatisfaction in the country, and it had arrived at that point that the Government would be compelled to deal with it. It might complicate matters if this new county were now constituted; and it would be better not to complicate them until the question was determined whether the counties and Road Boards were to be continued in their present form or under some new form. It also appeared to him that in this instance the Council was not in possession of such facts as would enable it to judge whether this new county should be constituted or not. The Hon. Colonel Whitmore had alluded to what had taken place between himself and that honorable gentleman last session with regard to the new County of Cambridge. At the request of his constituents he pressed the honorable and gallant gentleman very much to declare that new county during the session of the Assembly. The Hon. Colonel Whitmore raised several objections which appeared to him to be very reasonable, and he ceased to press it. It seemed to him that the honorable gentleman had done what was perfectly right in refusing to comply with his request to declare the new county at that time. As to the word "may," he did not think it could be read as "must." The Act cast a duty on the Government to say whether, in their opinion, a new county should be constituted or not: it was quite optional with them what to do. The question arising in section 15 of the Act was whether the word "sitting" meant "session." He must confess that the word "sitting" appeared to him to have a different meaning from the word "session." If it were intended that the two words should be synonymous, then the same word would be used in the same clause for the same purpose. But such was not the case; and, however construed, a difficulty would still arise. A motion might be placed on the Order Paper on the very last day of a session, and the Legislature would therefore be unable to do what was contemplated—namely, express an opinion upon it. It appeared to him that they were not sufficiently informed on the subject, and litigation might be the result if this new county were now declared. They might only do a mischief to the district altogether if they were to come to the determination that this county should come into existence. It would therefore be far better to let the matter stand over until next session, to see if the Government were going to deal comprehensively with the whole question of local self-government. He would support the motion of the honorable member.

The Hon. Sir F. DILLON BELL would like the honorable and learned gentleman to say what would be the legal effect if the Council passed this resolution, and a similar resolution were not agreed to by the other House. He objected to these bodies being allowed to reproduce themselves by fission.

The Hon. Mr. WHITAKER said that, unless both Houses passed a resolution of this kind, the legal effect would be that the county would come into existence. If both Houses expressed an

opinion that this new county should not come into existence, then it would not come into existence. A similar resolution was on the Order Paper of the other branch of the Legislature.

The Hon. Captain FRASER considered that further information was required before the Council came to a decision in the matter, and begged to move, That the debate be adjourned until Tuesday next.

The Hon. Colonel WHITMORE said that, as nothing had been said on the other side, it was probable he should vote for the motion of the Hon. Mr. Acland; for it might be an injustice to those who had not had full time to instruct some honorable member to state their case, if the Council were hurriedly to decide the question in the absence of any justification which there might be in the case. It was only just to allow a reasonable time, and he would therefore support the motion for the adjournment of the debate.

The Hon. Mr. MANTELL would support the motion for adjournment, on the principle that it would be better to give both sides an opportunity of being heard. When the debate was resumed, unless strong reasons were shown to the contrary, he should be quite prepared to vote for the motion of the Hon. Mr. Acland.

The Hon. Mr. ACLAND would not oppose the motion for adjournment. It would be understood that, if either House threw out this resolution, then the new county would come into existence.

The Hon. Dr. POLLEN would certainly vote for the motion of the Hon. Mr. Acland, on the following ground alone: that, in the absence of more specific information, he thought it was extremely undesirable that the areas of the counties as at present constituted should be reduced, unless exceedingly good reasons were adduced for the change. He should be very sorry to see the practice commenced of minimizing the areas of the counties, the object of past legislation being that they should have larger powers and opportunities of usefulness than the Road Boards possessed, and in that respect might be supposed to succeed to some extent to the responsibilities devolving upon provincial institutions before these were abolished. With regard to the term "sitting,"—in the Bill as originally introduced the word "session" was found, and it was altered during the consideration of the Bill in Committee to "sitting," in order to provide for the contingency of a Proclamation being issued during the time the Parliament was in session. He thought that, in view of what had been said by the Attorney-General that the whole question would be taken into consideration by the Government during the recess, they might very safely allow the County of Timaru to remain as at present. He assumed that, as a matter of practice, if this resolution were agreed to, it would, in the ordinary course, be transmitted to the other branch of the Legislature, and its concurrence invited therein.

Motion for adjournment of debate agreed to.

LOCAL BILLS.

The Hon. Mr. WHITAKER, in moving the motion standing in his name, said he need not

recapitulate what had taken place on this subject. A number of Bills were coming up from the other branch of the Legislature, and it was imperative that something should be done in order to clear off this work. There were, in point of fact, twelve Bills that had not been considered by a Committee at all, and were now waiting to be dealt with. It was suggested that an alteration should be made in one clause, to the effect that the Hon. the Speaker should ascertain who was in charge of the various Bills, and who would move the second reading; but he understood this was already the practice.

Motion made, and question proposed, "That all Bills, not being private Bills, affecting particular localities only, shall be referred to one of the several Committees to be appointed as hereinafter provided.

"The following members of the Council—namely, (1) the Hon. Mr. Acland, (2) the Hon. Sir F. Dillon Bell, (3) the Hon. Mr. G. Buckley, (4) the Hon. Mr. Edwards, (5) the Hon. Captain Fraser, (6) the Hon. Mr. Gray, (7) the Hon. Mr. Holmes, (8) the Hon. Mr. G. R. Johnson, (9) the Hon. Mr. J. Johnston, (10) the Hon. Mr. Mantell, (11) the Hon. Mr. Menzies, (12) the Hon. Mr. Miller, (13) the Hon. Mr. Paterson, (14) the Hon. Mr. Peter, (15) the Hon. Dr. Pollen, (16) the Hon. Mr. Reynolds, (17) the Hon. Mr. Scotland, (18) the Hon. Mr. Waterhouse, (19) the Hon. Colonel Whitmore, (20) the Hon. Mr. Wilson, (21) the Hon. Mr. Wood—shall be divided by the Hon. the Speaker into three Committees of seven members each. Each Committee shall elect a Chairman; three to be a quorum.

"When a Bill has been read a first time, the Hon. the Speaker shall, if in his opinion it is a local Bill, refer the same to one of such Committees. References shall be to the several Committees in rotation. The several Committees to have power to call for persons and papers.

"The Committee to whom a Bill is referred shall determine whether the same comes within the definition of a local Bill: (1) If they determine that it is not a local Bill, they shall so report to the Council; (2) If they determine that it is a local Bill, they shall then proceed to examine, consider, and report fully to the Council thereon. After such report is made, a day may be fixed for the second reading on motion without notice.

"The several local Bills which have already been read a first time, and referred to the Local Bills Committee and not reported on, shall be referred by the Hon. the Speaker to the several Committees in accordance with these resolutions."
—(*Hon. Mr. Whitaker*.)

The Hon. Mr. WATERHOUSE moved the addition of the following words: "That no member shall serve upon the Committee during the consideration of any Bill under his charge."

The Hon. Mr. MANTELL would ask the Hon. the Attorney-General to omit his name from the list, and substitute the name of some other honorable member. He made this request because, as was well known, he held strong opinions on the subject, and was conscientiously

opposed to the adoption of a certain course in dealing with these Bills.

The Hon. Colonel WHITMORE thought that, if they intended to carry out the appointment of this Committee for the despatch of business and the good of the country, they ought not to play with the matter. Let them make it compulsory for honorable members to attend these Committees. If they did this it would show they were in earnest. At the proper time he would move the adoption of clauses 82 and 85 of the Standing Rules and Orders on Private Bills of 1862. These would come in more conveniently at the end of the resolution. With regard to the general consideration of the question of an honorable member in charge of a Bill being exempted or debarred from attending, he thought their own good sense would show them that they should not take part in voting in Committee with regard to a Bill in which they were interested.

The Hon. Mr. WATERHOUSE explained that he was unable to attend the Standing Orders Committee, being engaged upon another Committee which was sitting at the time; but, as the matter had already been considered by the Committee, he was quite prepared to abide by their decision, and give the new arrangement a fair trial during the present session. He would therefore ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

The Hon. Colonel WHITMORE proposed the following amendment: "No member of a Committee on an opposed Bill shall absent himself from his duties thereon except in case of sickness or by order of the House."

The Hon. Sir F. DILLON BELL hoped the Council would not agree to the amendment. While he should feel bound to obey the order if it were agreed to, he should still carry out his determination not to do the kind of work which the proposed three Committees would charge honorable members with. The work was full of difficulty; but those honorable members who were competent to do it would, no doubt, do it successfully. The Hon. the Attorney-General had evidently given a great deal of attention to the subject, and, with the assistance of other honorable members, no doubt saw his way to perform the work in a complete and satisfactory manner; but, so far as he (Sir F. Dillon Bell) was concerned, he certainly did not, and such an order would be futile except as to his attendance. At any rate, if the Hon. Colonel Whitmore pressed his amendment, it would be necessary to explain what was meant by "an opposed Bill."

The Hon. Colonel WHITMORE said he would strike out those words. He merely desired to retain those words which would secure the attendance of members.

The Hon. Sir F. DILLON BELL said that, even without those words, the Council would be doing what was unknown in any Legislature in the world except with either private Bills or Election Committees, and the order would be perfectly futile. If he were competent to assist in carrying it out, he would do so willingly; but he had gone through the local Bills, and had

Hon. Mr. Whitaker

studied them carefully, and he saw serious difficulties in which the Committees would be placed. He would not weary the Council by repeating the reasons which convinced him that the Council would find itself in trouble by the proposed system; but he hoped the amendment would not be pressed.

The Hon. Mr. WHITAKER failed to appreciate the objection of the honorable gentleman, who had for some time been sitting on a Committee to which all these local Bills were referred, but who, when he was asked to act upon a Committee with extended powers, which would have to consider only one-third of them, could not see his way to do it. There was no reason in the honorable gentleman's argument, and he hoped he would make no difficulty in the matter. The rule laid down in the amendment of the Hon. Colonel Whitmore was really unnecessary, for the rule laid down in "May" was that—

"Attendance upon the service of Parliament includes the obligation to fulfil all the duties imposed upon members by the orders and regulations of the House; and, unless leave of absence has been obtained, a member cannot excuse himself from serving upon Committees to which he may be appointed; or for not attending them, where his attendance is made compulsory by the orders of the House. In 1846, Mr. W. Smith O'Brien declined serving as a selected member of a Railway Committee, and the Committee of Selection, not being satisfied with his excuses, nominated him to a Committee in the usual manner. He did not attend the Committee, and, his absence being reported to the House, he was ordered to attend the Committee on the following day. Being again absent, and his absence being reported to the House, he attended in his place, and stated that he adhered to his determination not to attend the Committee; upon which he was declared guilty of a contempt, and committed to the custody of the Sergeant-at-Arms."

The Hon. Mr. MILLER hoped the Hon. Colonel Whitmore would withdraw his amendment, and that the plan of the Attorney-General would receive a fair trial. A great many Bills had been hung-up for the last fortnight; and, if any further delay were allowed to take place, the Council would be abnegating its duties and abusing the great power intrusted to it. He did not use these words with any harsh feeling; but he must point out that it was unfair to those communities which were deeply interested in the passage of these Bills that the members of the Council should allow a difference amongst themselves to give rise to so much obstruction. The Council would present a singular aspect to the country if they did not bring the present difficulty to a conclusion.

The Hon. Mr. MANTELL hoped the Hon. Colonel Whitmore would withdraw his amendment, because, if it were found necessary to take measures to compel the attendance of members at the Committee, the Hon. the Attorney-General would no doubt submit resolutions to the Council which would have a far more stringent effect than the proposal of the honorable gentleman. When he (Mr. Mantell) appealed to the Attorney-

General to omit his name from the motion, an appeal to which the honorable gentleman turned a deaf ear, he merely wished to be excused from taking part in a thing he did not understand; but he would be quite content to attend the Committee, and sit at the feet of any Gamaliel who might preside there. He would go reluctantly, but at the same time he would endeavour to discharge the duties with as much cheerfulness as was possible under the circumstances.

The Hon. Dr. GRACE reminded some of his honorable friends that, when Smith O'Brien was ordered into the custody of the Sergeant-at-Arms, that was for his first offence. For his next offence he was tried, and got twenty-one years. *Facilis descensus Averni.*

Amendment, by leave, withdrawn, and motion agreed to.

The Hon. the SPEAKER explained that, as the matter was one of urgency, he would at once divide the names into three Committees, to be designated A, B, and C respectively. He had gone through the names with considerable care, and found that, however great the care he might bestow, he could adopt no better principle of selection than to take the first seven names for the first Committee, the second seven for the second Committee, and the remaining seven for the third Committee. He would then submit to each Committee a list of Bills for their consideration.

HARBOUR DEFENCES.

The Hon. Colonel WHITMORE, in moving the motion standing in his name, said that members were aware that the Government sent to the Home Government a request for a certain number of guns, which had come out, with the necessary ammunition. They had undertaken, in a general way, to carry out a scheme of defence suggested by the Imperial Government, to the extent of providing the armament; but that scheme, when they came to examine it, proved to be one which could not be carried out for ten times the amount set down for the purpose. It would be quite impossible to do it for £26,000, which was the portion of the £44,000 estimate they would have to give. Therefore he had proposed to ask Colonel Scratchley to come over here and say whether any amendment of the scheme might be made, and how much it would cost to carry out the works. Then, with his report before it, Parliament would be able to come to an intelligent decision as to whether or not it would be advisable to construct these works. The Government communicated with Colonel Scratchley in the early part of the year, and he promised to come in March or April. However, he then found that a press of work rendered it impossible to come till August or September. In the month of August political events occurred in Parliament which made it proper that the Government should not take any particular steps, and they therefore did not press his coming just then. But, as a matter of personal courtesy, and as a matter of reference, if it should become necessary at any future time to defend the harbours of the colony, he thought Colonel Scratchley should be communicated with, even if his services

were not now required. He believed Colonel Scratchley to be a most competent officer. That was, at any rate, the opinion of the profession, and he appeared to be giving great satisfaction in the Australian Colonies. It would be well to have some report from that gentleman, he (Colonel Whitmore) thought, both because the plan alluded to had been made from a map and not from personal observation, and also because it was clear that the defences recommended could not be constructed for anything like the amount estimated.

Motion made, and question proposed, "That it is desirable that this Council be informed what course the Government propose to take with reference to the harbour defences, and the visit of Colonel Scratchley, R.E., to inspect the colonial harbours."—(*Hon. Colonel Whitmore.*)

The Hon. Colonel BRETT said it was very refreshing to have the pleasure of seconding such a motion as that brought forward by his honorable friend, and he thought it was a source of great gratification to his honorable friend to find there was another member of the military profession who would stand up and advocate the cause of Volunteers and the defence of the country. He only hoped the honorable gentleman would be more successful than he (Colonel Brett) had been. For nine consecutive years, two or three times a session, he called attention to the matter, but with little or no result: a deaf ear was turned to him. At the last moment they were compelled to incur some expenditure, and to endeavour to put the country in a state of defence. Time after time Governments were warned to do it, and told that the time to put a country in a proper state of defence was when there was a long peace; but nothing whatever was done until it might be said the enemy was at the door. It had been a disgrace to successive Ministries that nothing had been done in this matter. However, this was a motion in the right direction, and he hoped the matter would be attended to, because no doubt Colonel Scratchley was one of the most distinguished officers of Her Majesty's service. It would be well to send the "Hinemoa" for that gentleman, and pay him that respect which was due to his rank, and not to deal with him as Sir William Jervois had been dealt with. That gentleman was treated with contumely and disrespect.

The hour of four o'clock having arrived, the House proceeded to the Orders of the day.

FENCING BILL.

The Hon. Mr. WHITAKER moved, That the Hon. the Speaker do leave the chair, for the purpose of the Council going into Committee on the Fencing Bill.

The Hon. Mr. CHAMBERLIN said this was a Bill containing a principle which, in its working out, would be injurious to a considerable portion of the inhabitants of the North Island. The principle he alluded to was that in reference to what was called fencing in and fencing out. These were terms generally used, and, as proposed in this Bill, simply meant that settlers should be put to the expense of fencing out their neighbours'

Hon. Colonel Whitmore

cattle irrespectively of whether they themselves kept cattle or not. That, he thought, was a principle which was very unjust and very injurious to the advancement of the country generally. Another very bad principle which it contained was, that it seemed to forget the old proverb of "Live and let live." The Bill was practically a Bill for the benefit of one class of settlers, who only looked to their own interests, who were desirous of living, but regardless of the desire of others to do the same. The Bill was evidently in the interests of large landed proprietors, and, for an evidence of the care to make it so, one had only to look at the names of the members of the Committee to whom the Bill was referred after its second reading. Out of the nine members there were no less than eight large landholders and squatters. Six of them represented the squatting interest in the South Island, and there were only three representatives of the North Island. For what reason the choice fell on so many honorable members from one part of the colony he failed to gather, except that it was done in the interests of gentlemen in that Island. It could not be supposed that gentlemen who did not happen to be large landholders and squatters were not equally capable of judging what fencing laws were necessary. The Bill was most decidedly against the interests of farmers and small settlers, because it put them to great and unnecessary expense before they could reap any advantage from their farms. It was only the other day that he saw a statement in one of the newspapers that the expense of fencing a farm of two hundred acres was £150, a very serious item of unnecessary expenditure if the farmer did not himself keep cattle. Therefore the Bill was impolitic, if, as he believed, the desire was that the country should be occupied by small farmers. Let such clauses as that be withdrawn, so as not to interfere, directly or indirectly, with the settlement of the country. Such a Bill as this would discourage settlement. They were not to suppose that the country was to grow nothing but beef, mutton, and wool. There were many different climates in the colony, so that the colony was therefore adapted to growing many different productions which might be raised without the expense of fencing-in land, if it were not that a man was bound to keep out his neighbour's cattle. There was tea, which, he was informed, could be grown in certain parts of the North Island. He had heard, indeed, that a gentleman from India had offered to grow large quantities of tea if the Government would only grant him some land. Then olives might be well cultivated for the purpose of manufacturing olive oil, and, as there were large quantities of that imported into the colony, it would be an advantage to grow olives. Then, lemons, and oranges, and other fruit might be grown, and the wine-making industry might be profitably established. Large quantities of fruit and jam were also imported into the colony. And he believed one of the greatest reasons for these importations was owing in a great measure to the first cost of fencing in small blocks of land. Then there was also flax, which was a well-known colonial industry. That was an industry which

flourished once; but it had failed of late. Then, there were linseed and mustard, rape and limes, and many other things, which did not occur to his mind, which might be grown in various parts of the country. Now, there was no need for fencing in these productions; they would remain in the ground so long as they were not pulled out and destroyed by cattle or sheep; and therefore it was unfair that the persons who grew these productions should be forced to fence their land to keep other people's cattle or horses out. That was not the system in operation on the Continent of Europe. In France, he believed, where agriculture was carried on, there were no fences. The cattle-owner there had to fence his own land, to keep his cattle in. He had heard it stated that every man ought to tether his cattle. Well, if so, it would be just as right for the cattle-owner to make his neighbour pay half the cost of the rope for tethering cattle as it was to make him pay half the cost of fencing to keep other people's cattle off his own land. In Committee he (Mr. Chamberlin) would move an addition to the interpretation clause to give effect to his views.

The Council then went into Committee, and reported progress.

The Council adjourned at five o'clock p.m.

HOUSE OF REPRESENTATIVES.

Friday, 14th November, 1879.

First Readings—Prison Labour—Invercargill Mining Companies—Mahia Telegraph Station—Napier and Wairoa Harbours—Hokitika Harbour—Auckland Railway Workshops—Qualification of Electors Bill—Telegrams for Electioneering Purposes—Qualification of Electors Bill—Registration of Electors Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Christchurch District Drainage Bill, Width of Streets and Roads Bill, Public Reserves Sale Bill, Special Powers and Contracts Bill.

PRISON LABOUR.

Mr. SHRIMSKI asked the Government, Whether the Borough Councils of Timaru, Lyttelton, Lawrence, and Wellington obtain the benefit of prison labour; and, if so, whether the various Corporations above mentioned are charged with the cost of the same, or any part thereof? If not, why it is made a condition to the Oamaru Corporation obtaining the benefit of prison labour that they should pay the cost of a warder? He might state that for some time past it had been the desire of the Corporation of Oamaru to employ prison labour, which would save the expense of sending many prisoners to Dunedin. The Corporation had made a request to the Minister of Justice, who had promised that one or two short-sentence prisoners should be left at Oamaru, and might be employed there.

Mr. ROLLESTON replied that Oamaru would be made no exception to the ordinary rule which would be observed in matters of this kind. The

honorable gentleman asked whether the Borough Councils of Timaru, Lyttelton, Lawrence, and Wellington obtained the benefit of prison labour. He might say, in regard to Canterbury Provincial District, that, when prison labour was employed by municipal bodies there, a charge was made for any extra attendance which was necessary. The question resolved itself into this: whether the employment of the prisoners by a Corporation involved the necessity of extra attendance, and consequently of extra charge. That was the case at Oamaru, and, if prison labour was employed there, an extra charge would have to be made.

Mr. SHRIMSKI said the honorable gentleman had not answered his question. He asked whether other places were charged for prison labour, and the Minister of Justice had simply evaded an answer to that question.

INVERCARGILL MINING COMPANIES.

Mr. BAIN asked the Government, If they will make provision for the registration of mining companies in Invercargill? Now that companies were being formed to work the quartz reefs in the Longwood district, it was found very inconvenient and expensive that they should be compelled to register at a place so far distant as Dunedin. He would therefore be glad to learn whether the Government would be prepared to make arrangements by which they could be registered at Invercargill.

Mr. HALL replied that mining companies were incorporated and registered under "The Mining Companies Act, 1872." They were registered by Registrars of the Supreme Court, and any companies requiring registry at or near Invercargill could be registered at the Supreme Court Office there. Mr. Henderson was the Registrar.

MAHIA TELEGRAPH STATION.

Mr. SUTTON asked the Commissioner of Telegraphs, Whether the Government will cause a lineman's station to be erected at Mahia, Hawke's Bay? The line already passed close to the Mahia Settlement, and it was very necessary that a man should be placed there in order that communication might be held with the North and South, because this was one of the best ports on the East Coast. He was informed that the erection of a station at Mahia would cost very little; and, inasmuch as there was already a lineman stationed in the neighbourhood, the extra expense would not be very great.

Mr. HALL could not give the honorable gentleman any definite answer until he had made further inquiries on the subject; but he was afraid the expense involved would be very much greater than the honorable gentleman supposed; also that the revenue from the office would be so small that it was not likely it would be commensurate with the expense involved. He would, however, make further inquiries on the subject.

NAPIER AND WAIROA HARBOURS.

Mr. SUTTON asked the Government, Whether they have received any reports from Sir John Coode on the harbours at Napier and Wairoa,

Hawke's Bay; and, if so, whether they will lay them before this House?

Mr. OLIVER replied that no report had been received from Sir John Coode on either of those harbours. The report on the Napier Harbour would probably be received in the course of two or three weeks; and it might be five or six months before the report on the Wairoa Harbour was received.

HOKITIKA HARBOUR.

Mr. REID asked the Government, If they will lay before this House a copy of Sir John Coode's report on the Hokitika Harbour? His reason for asking for this report was, that several members of the Hokitika Harbour Board were now in Wellington, and were desirous of seeing the report in question.

Mr. OLIVER replied that the members of the Hokitika Harbour Board who were at present in Wellington had had access to the plans and report of Sir John Coode. The Government intended to lay the report on the table of the House and have it printed, and to follow the same course with regard to any other reports they received from Sir John Coode. The plans were very elaborate, and it would cost a great deal to reproduce them. The Government, therefore, did not intend to lay duplicates of the plans before the House; but they could be seen at the Public Works Office, and in the localities to which they related.

AUCKLAND RAILWAY WORKSHOPS.

Mr. TOLE asked the Minister for Public Works, When he will inform this House of the Hon. Mr. Whitaker's determination in relation to Newmarket workshops? He was somewhat disappointed that he had not received a favourable answer to this question much earlier. This was the third time he had asked the question. A month had elapsed since tenders were sent in for the preliminary contract, and over £4,000 had been spent in securing this favourable site between the Ports of Auckland and Onehunga, and at the junction of the main lines of the provincial district. The first answer the honorable member gave to the question was, that the site had not been quite settled upon, and that he would refer the matter to the Hon. Mr. Whitaker. The next time he (Mr. Tole) asked the question, the honorable gentleman said that he had not yet received an answer from Mr. Whitaker; and to a third question he replied that there was no appropriation, and that he would have to come to the House for a vote. He (Mr. Tole) understood that there was an appropriation as early as 1877 for the construction of railways in the North in the Public Works Appropriation Act, and this work was included in it. With regard to the other point, of Mr. Whitaker's determination, he (Mr. Tole) had informed the honorable gentleman privately that Mr. Whitaker was decidedly in favour of the Newmarket site. In fact, when speaking to the electors of Eden, Mr. Whitaker, in reply to a distinct question, said, "As to the workshops in Newmarket, when I was in the Government I sug-

gested to Mr. Blackett that Newmarket would be an appropriate site. It was only the other day I heard that they were surveying ground for them at Papakura. But you may be assured that the workshops will be at Newmarket, where the junction of the lines is situated." He thought the Minister for Public Works should have been in a position to receive and convey to the House a definite answer from the honorable gentleman before this time. As a great deal of money had been spent in getting this site, and as tenders had been sent in, and there were numbers of unemployed in Auckland desiring work, he hoped he would receive a favourable answer.

Mr. OLIVER was sure the honorable member would not desire to force the Government to a premature decision on this matter. It was true that a site had been bought at considerable cost, and it was also true that tenders had been invited for filling up certain hollows and draining the site. But, even supposing that work were done, it by no means followed that that site must necessarily be adopted. As a matter of fact, the mind of the Government was not yet made up as to the respective merits of the two sites. He hoped the honorable member would refrain from further questioning on the matter until the public works estimates were brought down.

QUALIFICATION OF ELECTORS BILL.

On the question being put, That the report of the Committee on this Bill be agreed to,

Mr. HALL said some honorable members proposed that the Bill should be recommitted; but, considering the length of time the House had already devoted to the Bill, although perhaps in some respects it was not exactly in the shape he should wish, he would suggest that they should not attempt any further alteration in it. It was a Bill of very large importance, and it would be undesirable to expose it to any risk whatever. They had now got it through the most troublesome stage of existence, and he hoped the House would allow the Bill to be read a third time.

Mr. PYKE was surprised at and disappointed by the remarks of the Premier. The impression in his mind was very strong that an absolute promise was made by the Premier that he would himself move the recommitment of the Bill. It was only on that account that the 1st subsection was allowed to pass in the manner in which it did pass. He would certainly move the recommitment of the Bill. He had not the slightest desire to oppose the Bill; but the House was placed in a false position. When the female franchise—he was going to say the "fancy franchise"—was moved, it was done on the ground of the intelligence and intellectual capacity of women, which, it was said, would enable them to understand their political rights and to exercise them justly. What did the House do? After having made a number of speeches, which appeared to have been addressed to "buncombe," they voted that women should have the franchise only if they possessed property. Now, he took it that it was not necessary that either a man or a woman should be a property-holder in order to possess intelligence; yet honorable gentlemen, who said women should

Mr. Sutton

have the franchise because of their intellectual capacity, absolutely voted that unless they had property they should not vote, thereby landing the House in a dilemma, because now ninety-nine out of every hundred of the fair sex would not be able to vote. He moved that the Bill be recommitted.

Mr. THOMSON considered it very desirable that the Bill should be recommitted, for the special purpose of striking out the word "person," which had been substituted for the word "man." He understood that the amendment was made in order that their lady friends who had property might have votes. He must say that, although he had a very high appreciation of the fair sex, he thought they would be altogether out of their place at the polling-booths, and also in this House. This was a very large question—a question quite large enough for a separate Bill. It was as large a question as the proposed change in the Legislative Council. Honorable members should consider seriously what they were doing in this matter. The question had not been before the country; it had not even been brought under their notice by the ladies themselves. There had been no petitions from any part of the country bearing on this question. He did not see what good was to result from it. If women were to be placed on the roll, they ought to be placed there on account of their womanhood, and not because they happened to possess twenty-five pounds' worth of land. If justice was to be done it must be done all round. It was proposed to give Natives who happened to have land to the value of £25 a vote, but it was not proposed to give the Native women who had property to the value of £25 a vote. He thought that was wrong. It was very desirable that the Bill should be recommitted.

Mr. LUNDON wished the 4th subsection of the Bill, relating to the individualizing of Maori titles, altered. If the Natives individualized their title, their property would be cut up, and they could not hold it should sickness or any misfortune happen to their wives or children. If they did not individualize their title they were not to have a vote, although their individual interest in a piece of land might be worth a thousand pounds. This subsection was offering the Maoris a sham and taking from them a reality. If the Native individualized his title for the purpose of obtaining the franchise, he would probably mortgage or sell his interest, and in a year or two he would have no title to the land at all. With regard to extending the franchise to women, he voted for it on the understanding that all women would have a vote, and he knew that many other members were of the same opinion as himself.

Mr. GEORGE would support the motion for the recommitment of the Bill. Although he had voted for striking out the word "man" and substituting the word "person," he did so with the hope of being able to alter the next subsection, in order to give the whole of the women in the colony the right to the franchise. With the amendment made, instead of the Bill being a liberal measure with regard to female franchise, it was made more conservative in its character.

It would enable wealthy men to give their wives and daughters small blocks of land in order to have their names placed on the electoral roll, whereas poor persons could not do so. The result would be to put more power into the hands of the wealthy and landed classes in the colony. He should also try to have the amendment he had brought forward with regard to the Maori franchise made. He also hoped to be able to strike out section 3, which was inserted by the honorable member for Nelson City (Mr. Pitt).

Mr. MACANDREW said it was distinctly understood the other night that the Bill would be recommitted. He understood the Government gave an assurance to that effect. They should recommit the Bill, and take the opinion of the Committee on the several questions at once, without entering into any discussion.

Mr. KELLY said it was distinctly stated that the Bill would be recommitted. He raised the question at the time. He said that, if the subsection referred to were carried as it stood, and the word "person" substituted for the word "man," the effect would be to put more power into the hands of the wealthy classes. When he stated that, the Premier said he would allow the recommitment of the Bill, with the view of considering that question, and substituting Colonel Trimble's amendment to give a vote to women who were on the ratepayers' roll. He (Mr. Kelly) was surprised at the opposition offered to the recommitment of the Bill. There was not a majority in the House in favour of woman suffrage.

Mr. McLEAN would be willing to help the honorable member to strike out the word "person" from the section. The Premier proposed to push the Bill through, pass all the clauses, and then recommit the Bill, if necessary. The Government were clear from any pledge for the recommitment of the Bill on a future day. It was really of little consequence whether the Bill was recommitted or not.

Mr. DICK would have no objection to the recommitment of the Bill for the purpose of considering the question referred to by the honorable member for Clutha; but he could not agree to the recommitment of the whole Bill, because he did not in that case know when they would get it out of Committee again.

Mr. MOSS regarded this as the most important Bill brought before the House this session. He did not desire that any discussion should take place in Committee. It was better that they should express their views in the House, and come to a decision on the questions when in Committee without much debate. They would not be doing their duty if they did not express thoroughly and fully their sentiments on this Bill; and they should not hurry it through. He had a distinct recollection that the Premier promised to recommit the Bill to consider the 1st subsection; the honorable member first proposed to report progress on the whole Bill, but there were objections to reporting progress, and it was understood that the Bill should be recommitted to consider the 1st subsection. He (Mr. Moss) was not satisfied to recommit the Bill merely for that

purpose. He would like to refer to one or two points which he thought deserved consideration. He had given the subject much further consideration, and felt that he was right in what he had said with regard to the iniquitous character of the Maori clause. He thought it could not be too strongly denounced, and would show that there were grave objections to it. The other night he stated that if a Maori held land—if he were a landholder or a leaseholder—he could not vote—he was not provided for. The Colonial Treasurer stopped him and said, "Yes; he can come under the ratepayers clauses in that case." But he wanted still to know why such a Maori should be compelled to come under the ratepayers clauses—why he should be, as it were, branded as a different man from other electors, and why he should be deprived of his opportunity of coming under the residential clauses. He would tell them where that had a practical operation. There were many hundreds of young Maoris in this country who had received the highest education at Wellington College and various other colleges in the colony. He knew that at St. Stephen's, at Parnell, there were a large number receiving the best education which the colony could give to fit them to become citizens. Now, those young men, when they grew up, were to be branded as not equal to the other young men who spoke the same language as themselves. Although they were well educated and could speak and write English thoroughly, and were quite fit to exercise the franchise, yet there were several hundreds of them who would be branded as inferior to the Europeans with whom they associated. Now, that was a very serious thing to do, and it was a distinction of race which ought not to be recognized. He would like to tell honorable members from the South that this was not an imaginary grievance. He could assure them that there were many hundreds of such young men in different parts of the country, there were some even employed in the public offices, who would, under this Bill, be branded as inferior to those of the European race with whom they were mixing. If honorable members would look at the 6th clause, they would also see the following provision:—

"The word 'Maori' in this Act means an aboriginal inhabitant of New Zealand, and includes any half-caste living as a member of a Native tribe, according to their customs and usages, and any descendant of such half-caste by a Maori woman."

That placed a disability on the descendants of these people for all time to come. He was sure that any Registration Officer would so read it. Then, again, he ventured to say that the word "residence" was not defined in this Bill as it ought to be. He was told by the Premier that he had a legal authority for saying that the word "residence" required no interpretation. Now, he had since made inquiries, and he found from all the lawyers in the House that it was a word which no Registration Officer could define. He hoped the Premier would explain to the House the ground upon which he made the statement he did, because this was a very important point. He would like to point out to the

Mr. Moss

House that, although they might not see that this was an iniquity they were perpetrating—an injustice to the Maoris who were now on the rolls, who had always behaved themselves well, and against whom there was no complaint, who were represented in that House by the two honorable members for Napier, by the honorable member for Wairarapa (Mr. Beetham), and many other members who ought to stand up and speak for them as their constituents—although they might not see now that this was the case, yet they should remember that they had never done wrong towards the Maori race that they had not suffered for it. He need only refer to the Confiscation Act, for one—an Act which was branded at the time as an iniquity, and which was carried in spite of the strong protest of many people. That Confiscation Act had been a fruitful source of trouble, loss, and bloodshed in this country, and had done more to alienate the Natives from us than anything else that could possibly have been done. People were told that they were to derive great benefit from it—to have millions of acres of land which would be sold, and which would recoup the cost of the war—and all kinds of advantages were held out. That Act had brought upon the country calamities of a most serious character. Again, it was only a few years ago that one of the most high-handed things that could possibly be done was committed in this country. A man was seized, without trial, without even knowing what he was charged with, he was imprisoned, and sent away to the Chatham Islands. That man, thus grossly treated, came back, and was again pursued; and what was the result? Bloodshed for months, for years, and murders which he firmly believed that man was less responsible for than those people who exasperated him by this gross injustice, and drove him to the exercise of what he considered his savage rights. He referred to Te Kooti, whom he had had opportunities of seeing, whose story he had heard from his own lips, and which he had taken every pains to investigate, and had ascertained beyond all doubt to be true. That man was seized, and to the present day no one could say what he was charged with. He was never even taken before a magistrate, but denounced privately on the spot, and carried by official orders out of the country. He mentioned this to show how injustice in the past had always brought its own Nemesis, and recoiled, too often, on the heads of those innocent of its infliction. To a Southern member it might appear to be a very small thing, but to those in the North it was a very serious matter. There were many thousands of Maoris now living on the frontiers of Auckland with whom the Europeans were anxious to make friends, whose confidence they were anxious to retain, and in which they could succeed only by treating them justly, and putting them on equal terms with the rest of the people. Those Maoris occupied a territory as large and as valuable as, for instance, the whole Province of Canterbury and perhaps as half the Province of Otago. He would ask honorable members therefore to pause before they allowed a Bill to become law which, for the first time in the history of

New Zealand, branded the Native race as a separate, distinct, and inferior race to the Europeans among whom they are living.

Mr. HALL thought there was a misunderstanding in the minds of some honorable members as to what the Government said during the progress of this Bill through Committee. What was said was this: When opinions were expressed that the alteration in subsection (1), admitting women to the franchise, did not represent the mind of the House generally, he suggested that they should at once pass the Bill through Committee *pro forma*, and immediately recommit it with the view of reconsidering that clause. That course would also have afforded an opportunity for considering the amendment of which notice had been given by the honorable member for Grey and Bell. And he (Mr. Hall) at a subsequent stage stated that, if that amendment were carried, as it was inconsistent with the alteration made in subsection (1), the Government would propose the recommitment of the Bill. That was what was stated, and nothing else. Now it was proposed not only to recommit the Bill for the reconsideration of subsection (1), but to recommit it for the reconsideration of the whole Bill; and there was no doubt whatever, in spite of what had been said by the leader of the Opposition, that, if the Bill were recommitted generally, they would have the Maori question, and every other question included in the Bill, debated over again. In fact, the honorable member for Parnell had given them a sample of the way in which the rest of the day would be occupied. That, he thought, would be a pity. Although the Bill was not exactly in the shape in which he himself would like to see some parts of it, still, upon the whole, it was in as good a shape as it was likely to assume. The question had been very fully debated. It could not be said to have been hurried through, as they had spent two whole days over it. Under these circumstances, he thought it would be a pity to recommit the Bill.

Mr. MOSS said the honorable gentleman had forgotten to explain about the term "residence." He assured them the other evening that there was no legal definition of the word required.

Mr. HALL could only repeat the statement. He was assured, on the best legal authority, that the word "residence" had a well-ascertained and settled legal meaning. He did not know whether the honorable gentleman was justified in saying that all the lawyers in the House agreed with him: at all events, he (Mr. Hall) was better satisfied with his authority than with that of the honorable gentleman.

Mr. SPEIGHT trusted the Government would adhere to their determination not to recommit the Bill. The proposal made by certain honorable gentlemen was, that a conclusion upon one point deliberately arrived at the other night should now be rescinded. There was a desire on the part of some honorable gentlemen who wanted the Bill to be recommitted to go into the whole subject again; but he hoped that desire was not generally shared in. He could assure them that, if the Bill were recommitted, it would be the duty of certain honorable gentlemen on his side of the

House to propose certain material alterations throughout the Bill. But there were a few small things which, in his opinion, did really require amendment. In regard to these, however, he thought the Government of the day could bring sufficient pressure to bear upon the Upper House to have them inserted there, and then they could come down and be submitted for the approval of this House. He trusted that, as the object seemed to be to frustrate the first attempt made at getting the franchise for women, the Government would resist the recommitment of the Bill.

Mr. TURNBULL was sorry he could not agree with the honorable gentleman. He voted for the insertion of the word "person," but the whole principle was altered by the amendments which were made in the remaining part of the clause. As the Bill now stood it simply conferred the franchise on very few females indeed. If it were general it would be a widely different thing; but it only conferred the franchise on those whose husbands could afford to endow them with a certain amount of land. Under these circumstances he would be prepared to vote for the recommitment of the Bill.

Mr. STEWART said the policy of the Government seemed to be, first to get their measures into a muddle, and then to send them to the Upper House to be improved by the Attorney-General. He hoped the House would not degrade itself by adopting any such course, and that they would not send this Bill away until it was in a presentable form. He clearly understood from the Premier, when this matter was being considered the other day, that the Bill was to be recommitted, and for that reason he did not enter into the discussion in a way that he would otherwise have done. The Bill had not had that consideration at the hands of the House which it would have received had it been understood that it was not to be recommitted; and he had no hesitation in saying that the refusal of the Government to have the Bill recommitted was a departure from what was clearly an understanding come to between the Government on the one hand and those members who were in opposition on the other. Certain objections, which were called critical objections, were taken to the Bill at the outset, and he had no doubt that if he referred to any of them again he would be charged with descending to hypercritical remarks in a way which was not justifiable. The 2nd section of the Bill was certainly open to very serious difficulty. It stated, "The members of the House of Representatives shall be chosen in every electoral district." Were eighty-eight members to be chosen in every electoral district? Surely that was never the intention of the House? It was all very well to say that such criticisms as these were merely verbal; but the Bill would have to be interpreted, and such loose language might lead to considerable difficulties, and therefore ought not to be slurred over. A question was also raised about the words "twenty-one years of age and upwards." In subsection (1) the words were "or upwards," and in subsection (4) "and upwards." The distinction was altogether unnecessary, for if a man

once reached the age of twenty-one years his legal status was complete, and the insertion of the words "and upwards" or "or upwards" would only lead to confusion. Again, subsection (5) should not be a subsection to section 2, as that section referred to qualification, whereas subsection (5) referred to disqualification. The subsection should have been made a separate section of the Bill. There were other defects of the same kind which he could point out, and which showed that the Bill had not been very carefully drafted. He hoped the Government would not consider his remarks uncalled for, because it was essential that measures to which the House gave its consent should be properly drafted.

Colonel TRIMBLE said the discussion which had taken place would show the difficulty that would arise if the House went into Committee on the Bill again. One honorable member would be anxious to strike out the word "person," and would offer elaborate reasons for doing so; while the retention of that word in the clause would be defended by somebody else. Then there was another section of the House who would vote for striking the subsection out altogether, and he would be one of those. Again, another class would be represented by the honorable member for Parnell, who had gone so deeply into the Maori question. So that there would be three distinct questions raised altogether outside the "wording" criticism raised by the honorable member who had just sat down. The whole thing would get into such a muddle that he doubted whether the Bill would reach the Upper House this week or next. He would therefore recommend those honorable members who thought it was on the whole a good Bill to let it pass as it stood. He was perfectly indifferent as to whether the word "person" was left in or not, because he felt certain that some day or another the franchise would have to be granted to women. It seemed to him, however, better to grant it in the gradual way asked for by the honorable member for Wanganui than to grant it afterwards in a revolutionary way by giving the franchise to all women.

Mr. GIBBS did not agree with the last speaker that this was a good Bill. If the honorable member for Dunstan had adhered to his original proposition to recommit the Bill for the purpose of considering subsection (1) of clause 2, he would have been prepared to support that proposition; but, when it was proposed to recommit it altogether, he would not agree to do so: not that he agreed with the alterations made in regard to the Maori franchise, as he altogether dissented from giving that part of the population an unfair preference over Europeans by giving them, as this Bill did, a freehold and ratepaying franchise in addition to their special representation. He would support going back into Committee to consider the alteration of the word "person" into "man," because the franchise was not asked for by the female portion of the population, and he thought it would be only an encumbrance to them. There had been a great deal of talk about restricting each man to one vote, but, if this subsection were passed as it now stood, it would give

every man with a wife and grown-up daughters a vote for each.

Mr. IRELAND would support the recommitment of the Bill, not to alter the word "person" in the 1st subsection of clause 2 to "man," but to excise that subsection altogether: and he would divide the House upon the question. He held that every man in the colony, whether he had property or not, was entitled to be represented, and it was upon that ground that he intended to divide the House upon the excision of this subsection. He hoped the Government would pass the measure in such a way as to give manhood suffrage pure and simple, and he held that the country would not be satisfied unless that principle was adopted.

Mr. ANDREWS was exceedingly pleased to hear the honorable gentleman who had just sat down express himself as he had done. He would on every occasion vote so that the Bill, if not restored to its original shape, should provide solely for manhood residential suffrage. He did not see why the Government had not stood by their Bill as it originally stood. He would have thought that they would try to get the word "man" restored; and, if it was possible by any fair means to get the word restored, he would vote for it. The honorable member for Parnell had used very severe expressions with regard to the action of the House towards the Maoris. He could not at all agree with the honorable gentleman. In his opinion considerable concession had been made to the Maoris, and, further, he believed it would be highly satisfactory to them, for a period of time at all events. This was most decidedly an experimental matter, and Parliament could only deal with the Maoris in an experimental way. Let the clause be passed this session, and in three or four years they would find that the Maoris would realize their position in a way which they could not do at present. He hoped by that time to see the whole special Maori representation done away with, and the Maoris treated exactly as the Europeans were. Therefore, as a step in the right direction, he would vote for the recommitment of the Bill generally, so as to restore it to the shape in which it first came before the House.

Mr. BRANDON would far rather see the 2nd subsection of clause 2 struck out altogether, and the 4th subsection so altered that no Maori should have a right to vote unless he was on the ratepayers' roll, and was seised with a freehold qualification. However, he thought the House was only wasting time, and that it would be better to leave the Bill as it was, and send it to the Upper House to be dealt with there.

Mr. OLIVER hoped the House would not waste any more time over this Bill. They had already given a very fair share of consideration to it, and he thought they had arrived at a reasonable solution of the difficulty it was intended to meet. The honorable member for Christchurch City (Mr. Andrews) wondered why the Government did not seize the opportunity of bringing the Bill back to its original form. It would be in the recollection of honorable members that the Premier had declared that the Government were not quite in agreement as to the

Mr. Stewart

woman suffrage. That was a matter on which the members of the Government had agreed to differ. The Premier, the Colonial Treasurer, and himself held strong views as to making the House the real reflex of the opinions of the community—a representative body in the truest sense. They recognized the value of the opinions of the women of the community, and thought they should be represented in the House as well as the male sex. In his opinion the part which women had taken in public matters when permitted to do so led to the conclusion that they would act very creditably if the franchise were given to them, and even if they were admitted to the House. His experience of the actions of those public women in England who had connected themselves with various good causes assured him that this House would lose nothing by the presence among them of half a dozen of these women. He did not think that, if the suffrage were given to women to the fullest extent, they would probably become members of the House; but, in the event of their becoming members, no doubt the tone of the debates would not be degraded, but rather elevated. With regard to the decision the House had arrived at in giving this limited franchise to women, they were following the lines which the English nation had always followed. They were beginning by giving women the freehold qualification. By-and-by, when this measure, which was simply tentative, had proved useful, they would go on and extend the female franchise, and he hoped that before long they would see women afforded the same privileges and rights as their brothers and husbands enjoyed. He would bring to the remembrance of the honorable member for Waikato that the Bill provided in the fullest manner for manhood suffrage. What was the residential qualification? Did the honorable member mean to say that a man could be in the colony without residing in it? If a man came to the colony and remained amongst them for twelve months, and resided in a district for six months, he would have a right to vote. What more did the honorable member require? He hoped they would not waste any more valuable time, but would refuse to recommit the Bill.

Major TE WHEORO said there were two points in this Bill relating to the Maoris upon which he would like to express himself. He would like to alter the words "seised in severalty," so that the clause should read, "who is seised in a freehold estate of the value of £25." That was why he was in favour of the Bill being recommended. Also, as the House had decided that women should have votes, he would move that, in the 4th clause, the word "male" should be struck out, and the word "person" substituted, so as to include Maori females. The words "seised in severalty" would not at all apply practically to the Maoris. If they were to individualize their titles, the consequence would be that they would sell them.

Sir G. GREY hoped the House would agree to the recommittal of this Bill. He heard one honorable member say that both sides of the House admitted that this was a very good Bill.

He denied that assertion absolutely. A large number of members did not think it a good Bill. The Minister for Public Works said that the Government had determined that this Bill should produce a reflex of the country.

Mr. GISBORNE said the Minister for Public Works stated that three members of the Government wished it to be a reflex of the country, and that the others did not.

Mr. OLIVER said that what he stated was, that he desired that this House should eventually become a perfect representation of the country—both of the male sex and the female.

Sir G. GREY said the honorable gentleman then meant that he did not desire that the House should for some time be a reflex of the country.

Mr. OLIVER.—No.

Sir G. GREY said, then the honorable member meant it privately and confidentially, as honorable gentlemen did when they applied for Native lands. This Bill would make the House, not the reflex of the country, but the reflex of the money of the country. With very great regret indeed he had seen that some honorable gentlemen did not understand the meaning of the Bill. With regard to allowing plural voting, he had heard it argued that its effect would be to encourage the acquisition of property. He maintained that it would discourage the acquisition of property. They could do nothing worse than induce men to scatter their property in various electorates, so as to have property worth only £25 in each. No poor man can do that. Property so scattered would be worth nothing to a poor man. Nor did this Bill provide for the representation of property, because a man having five thousand or ten thousand acres in one electoral district would only have one vote. But what it did was, to enable a man who had money at his disposal to speculate in several districts, getting property worth £25 in each district, and securing a large number of votes. The result inevitably would be, that the electoral districts would be rushed. Trains full of people would go out from the towns, and they would return members for nearly all the electoral districts in the vicinity of those towns. He was sure that if honorable members would reflect they would find that the best thing to do would be to let each man have one vote. That was the true principle upon which representation should proceed. If it was determined to give votes to property, let votes be given to property in proportion to value. He altogether objected to such a system, but he did think they ought to get rid of this most mischievous principle of giving a vote for twenty-five pounds' worth of property in every district, and of encouraging people to split up their properties in this way. It would be creating property which would be useless.

Mr. OLIVER.—Village settlements.

Sir G. GREY maintained that it would be of no use to the inhabitants of village settlements. What would be the use of a man having twenty-five pounds' worth of property in one village settlement, and twenty-five pounds' worth in another village settlement? If residence was not compelled, it would be of no use at all. This simply meant that great speculators would buy

allotments in each village settlement to get votes, and do nothing with the property. It was not fair that men who scattered property about in that way should possess a power which would oppress the rest of their countrymen. The same thing was now to be done with regard to females. It was only females with property of a certain amount who would be allowed to vote. It was impossible for the Government to refuse the recommitment of the Bill, because those who wished to introduce the word "person" into the 1st subsection, were allowed to do so in the belief that it would also be inserted in the 2nd subsection. What could be more unfair than to hurry the House into the adoption of a principle in one subsection and refuse it in another subsection, and then refuse to allow the Bill to be recommitment? He was sure a mistake had been made in saying they should trust this measure to the Legislative Council. They ought to do nothing of the kind. They ought to send up a perfect Bill to the other Chamber, and insist upon no alteration being made there. With regard to the European population, the Bill ought to be recommitment; and, with regard to the Native population, he thoroughly agreed with the honorable member for Parnell and the Native members of the House that the Bill did the greatest injustice to the Native population, and that the very least that should be done was to strike out the word "severalty." Even then it would by no means satisfy him; but it would be an improvement. He trusted the House would recommit the Bill without a division, and that Ministers would carry out their promises in that respect.

Mr. WAKEFIELD would not have spoken if the honorable member for the Thames had not chosen to repeat the speech he made on the second reading of the Bill. It was not in his line at all to misrepresent other honorable members, as the honorable gentleman persistently misrepresented every one who did not agree with him. He simply wished to point out that the arguments brought forward now by the honorable gentleman were altogether at variance with those brought forward when his own Electoral Bill was before the House. The honorable gentleman did not think it at all necessary then that there should be only one vote, notwithstanding the strong opinions he had expressed about the plural property vote. He refused to admit at all that the honorable gentleman was a genuine advocate of the single property vote. As to the argument about the freehold qualification, he thought the honorable gentleman was perfectly wrong. He did not put it ingenuously to the House. The truth must appear to the mind of every one who viewed the matter impartially, that the lowering of the freehold qualification from £50 to £25 would enable a large number of men with small means to become freehold electors who could not do so now. Honorable gentlemen must be aware that there were throughout the colony a large number of men of small means who, every year, laid aside a part of their earnings to purchase land which they might enjoy themselves, and might leave as a heritage to their children. These men were attached to their small properties, and would be

proud to have a vote in respect of those properties. A better class of electors they could not have in the colony. They would take an interest in the welfare of the colony and would feel a pride in exercising their electoral franchise. Those were the people they wanted to take part in their elections. He did not for a single moment believe in the cry raised by the honorable member for Waikaiti, and other honorable members, against everybody who had property exercising the franchise. Why should they take away a right given by the Constitution Act and enjoyed for twenty-five years in this colony, and which had never been wrongly used? There was no better class of electors in the colony than those who voted in consideration of their freehold qualification. There was a good deal of nonsense talked about the residential vote. When the honorable member for Wellington Country District proposed that the 2nd subsection should be struck out, there was a laugh raised, as if the proposal were something absurd or something irrational. He (Mr. Wakefield) saw nothing to laugh at in the proposal; it was a sensible proposal from the honorable member's point of view, and every one was entitled to exercise his own opinion. He considered that the freehold qualification was twice as important as the residential qualification. It would destroy the interest which the great bulk of the people had in political affairs if the freehold qualification were interfered with or struck out of the Bill. He had never altered his opinion as to the property vote; but since exceptional taxation had been placed on land there was just ground given for the exceptional franchise. On the ground of expediency, there was a great deal to be said in favour of the plural property vote, but he was not an advocate for it. The honorable member for the Thames, who was a strong advocate for it only twelve months ago, warmly opposed himself and other honorable members when they endeavoured to do away with the plural property vote.

Sir G. GREY said that he had always been in favour of doing away with that vote.

Mr. WAKEFIELD said the honorable gentleman had put the plural property vote into his own Bill, and, when an amendment was made to strike it out, the honorable gentleman got up and said that he (Mr. Wakefield) had made a great mistake in supposing that he ever meant to oppose plural property voting; that he wished his remarks only to be taken as referring to local voting, and not to voting for members of the House of Representatives. He would refer honorable members to the honorable gentleman's speech in *Hansard*. The House should not be asked to go into Committee again on the whole of the Bill. He did not agree with some portions of the Bill—he did not agree with the female suffrage, for instance—but when the Bill had been passed through Committee, after very full discussion on all its provisions, it would be a mistake to have the whole discussion over again. Honorable gentlemen who had objections to make to any particular parts of the Bill would speak precisely as if those parts had never been discussed at all. Why did not honorable gentlemen make the amendments when the Bill was in

Sir G. Grey

Committee? Were they to be told that, after the Bill had passed through Committee in a particular form, it was to be recommitted when certain members were present, and as soon as circumstances were slightly altered, in order that the whole Bill might be gone over again and entirely revised? If the adoption of such a course were allowed, there would be no end to motions for the recommitment of Bills, and it would be almost impossible to pass measures through the House. He could not but believe that the honorable member for the Thames and those who were acting with him wished to obstruct this measure, and not allow it to become law at all. He felt perfectly satisfied that that was the desire of some honorable members. Some honorable gentlemen were anxious that the question should be settled, and that the female franchise should be removed from the Bill. He would himself like to see the female suffrage set right, but he objected to the recommitment of the whole Bill. A number of honorable gentlemen hated the whole Bill, and did not want electoral reform at all. They wished to keep the subject dangling before the people again at the hustings and on public platforms. They wished to revive the whole question in Committee, and to get up a desultory discussion which would last the whole day. He should certainly oppose the recommitment of the whole Bill.

Mr. MURRAY hoped the Government would oppose the recommitment of the Bill, for the same reasons as had been given by the last speaker. There seemed to be a determination on the part of certain honorable members to obstruct the business of the country rather than allow it to be proceeded with and carried on in a satisfactory manner. Such a course would not be adopted by those who wished well for the future of the colony. He deprecated the conduct of honorable members who indulged in personal wranglings, and who imputed vile motives to other honorable members who happened to disagree with them in their political views. He challenged the honorable member for Waitaki and other honorable members to bring their charges directly, so that he might have an opportunity of refuting them. It was no doubt an unfortunate thing that the honorable member for Dunedin City was not appointed Attorney-General of the colony, and that he had not had the drafting of this Bill. It would have been perfect in all its provisions, and accurate in its orthography. The honorable member should be content to leave this matter in the hands of older and more experienced men, and not set himself up as a teacher of law and an authority on grammar. The honorable gentleman should not have shown his inexperience by indulging in carping criticism of certain words in the Bill. With regard to the remarks of the honorable member for Auckland City East, if there were any amendments which the honorable gentleman considered would be improvements in the Bill he could bring them before the Ministry, and if they approved of them they could be introduced in the Bill in the other branch of the Legislature. The time of the House should not be wasted by a wrangling debate on

this Bill in Committee, of which they had had quite enough already. If the Bill were recommitted, and ordered to be read a third time next sitting-day, there would no doubt then be a further motion to recommit the Bill. He would ask those members who had had the matter fairly brought out in Committee to accept the verdict of the House, and not try to impede business. There was an evident determination on the part of a section of the House to obstruct the business of the country, and to delay it until such a late period that members would not be able to wait any longer, and then, no doubt, to throw the imputation on the Ministry that they had not been able to pass their measures. He exonerated from any such intention a large section of the honorable gentlemen to whom he had the misfortune to be opposed, and he hoped they would not allow themselves to be dragged at the chariot-wheels of any gentleman who had not the decency to wish the business of the country to be carried on in an orderly and satisfactory manner.

Mr. SHIRIMSKI.—Question.

Mr. MURRAY said, if what he was saying did not meet with the approval of the honorable member for Waitaki, that honorable gentleman would have an opportunity of replying to him at the conclusion of his remarks. The honorable member must not suppose that he was the only man in the House who was to be permitted to speak. The honorable gentleman was continually interrupting honorable members of whose remarks he did not approve. They had seen in the public Press of this colony reference to an individual who had been described as a parliamentary nuisance. He did not know whether that term applied to the honorable member.

Mr. SHIRIMSKI hoped that the honorable member did not refer to him. If ever there was a nuisance in the House he thought the honorable member was one. The House had had sufficient experience of that, for the honorable gentleman never rose to speak without attacking some one, and he never addressed the House without insulting the honorable member for the Thames (Sir G. Grey).

Mr. BARRON hoped the Bill would be recommitted. He was not one of those who desired to obstruct business in any way, but he was sure that this Bill had emerged from the Committee in a form which it was never thought it would assume when it was first presented to the House; and its appearance had not been improved. While the Bill was in Committee they had been led into a series of surprises. First there was the alteration of the word "man" to the word "person," which was assented to very reluctantly by some members of the Committee, many of whom were under the impression that a remedy would be applied in a succeeding part of the clause, which unfortunately had not been done. An opportunity should be given to those who desired the alteration to urge upon the House the advisability of having the word "man" restored and the word "person" deleted. The way in which the House conducted its business seemed to him capable of great improvement. As a young member, he of course spoke with very great diffidence

on this point, but he was of opinion that it would be better if the House were to arrive at its conclusions by a series of resolutions, rather than by discussing Bills which hung closely together, so that they could not withdraw one particular portion without injuring the whole. He threw out this suggestion for the consideration of those honorable gentlemen who had been longer in the House than himself, and whose experience would warrant them in initiating a reform by which the business of the House should be conducted by a series of resolutions rather than by the consideration of complete Bills. He hoped the House would at once agree to the recommitment of the Bill, and that the Committee would not only be able to effect a change in subsection (1), but that they would also consider a very excellent amendment proposed by the honorable member for Akaroa, to insert in line 4 of section 2, after the word "Act," the following words:—

"Provided always that no person shall by virtue of this Act be entitled to have his name placed as an elector on more than one electoral roll in force in the colony for the time being."

He hoped that proposal, at all events, would have fair-play, and not be rejected without the most mature consideration.

Question put, "That the words 'amendments made by the Committee be agreed to' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	30
Noes	...	...	...	...	34
Majority against...					4

AYES.

Mr. Bain,	Mr. Rolleston,
Mr. Beetham,	Mr. Saunders,
Mr. Bowen,	Mr. Seymour,
Mr. Brandon,	Mr. Stevens,
Mr. Bryce,	Mr. Sutton,
Captain Colbeck,	Mr. Tomoana,
Mr. Hall,	Colonel Trimble,
Mr. Hursthouse,	Mr. Wakefield,
Mr. Johnston,	Dr. Wallis,
Mr. Levin,	Major Willis,
Mr. Mason,	Mr. Reader Wood,
Mr. Masters,	Mr. Wright.
Mr. McLean,	
Mr. Oliver,	<i>Tellers.</i>
Mr. Pitt,	Mr. Gibbs,
Mr. Richardson,	Mr. Murray.

NOES.

Mr. Allwright,	Mr. Montgomery,
Mr. Andrews,	Mr. Moss,
Mr. Ballance,	Mr. Reeves,
Mr. Barron,	Mr. Reid,
Mr. De Lautour,	Mr. Seddon,
Mr. Dick,	Mr. Shephard,
Mr. J. B. Fisher,	Mr. Speight,
Mr. J. T. Fisher,	Mr. Stewart,
Mr. George,	Mr. Swanson,
Mr. Gisborne,	Mr. Tainui,
Sir G. Grey,	Mr. Tawhai,
Mr. Hamlin,	Major Te Wheoro,

Mr. Barron

Mr. Hislop,
Mr. Hutchison,
Mr. Ireland,
Mr. Kelly,
Mr. Lundon,
Mr. Macandrew,

Mr. Thomson,
Mr. Tole.

Tellers.
Mr. Pyke,
Mr. Shrimski.

The words were consequently omitted.

Question put, That the Bill be recommitted.

Mr. BOWEN moved the addition of the words "for the purpose of reconsidering subsection (1) of section 2."

Mr. HALL said that, although the motion had been carried for the recommitment of the Bill, he trusted the House would agree to the amendment of the honorable member for Kaiapoi. He understood there was considerable desire on the part of some honorable members that subsection (1) should be reconsidered; but many members who voted for the recommitment of the Bill would prefer the reconsideration being confined to that particular subsection.

Mr. MOSS said, the Premier having singled his objections out as a sample of the debatable matter that might be expected in Committee if the whole Bill were recommitted, he took this opportunity of stating that the House need not be at all afraid that any one would attempt to prolong the discussion—when in Committee he was willing that they should go to the vote at once; but they should recommit the whole Bill, vote on the whole Bill, and have as little talk as possible, as he was sure honorable members had all made up their minds. As the Premier had referred to the action taken by him in this matter, and had singled him out, he said emphatically that he had no respect for the authority of that honorable gentleman when he laid down absolute opinions as he had done with reference to this Bill. How could he be expected to accept as authoritative the statement of the honorable member, for example, as to the definition of "residence" or anything else, after what occurred on the previous day, when a document was laid on the table by the Government so disgraceful that he as a member of the House was precluded from looking at it?

Mr. SPEAKER said the honorable member was not in order in referring to what took place on the previous evening.

Mr. MOSS would not then refer to it. He would simply say that, after certain events which he had in his mind, he had a right to demur to the statements so authoritatively made by the Premier. He desired to have the highest respect for that honorable gentleman's position, and for the honorable member himself personally; but he hoped the honorable gentleman would also respect the opinions of other honorable members, although they might chance to differ from him.

Mr. SEDDON would support the amendment for recommitting the Bill to consider the 1st subsection of clause 2 only. He did not wish to see the time of the House wasted in going through the whole Bill over again. It had been well fought out in Committee already, and a division taken on nearly every clause, and, as a conclusion

had been arrived at, he would support the views of the majority. He trusted, however, the Government would support the proposition to alter the word "person" back to the word "man."

Mr. HAMLIN disagreed with his honorable friend. When the House was in Committee on the Bill there was a bare majority present; and, as the attendance had since increased, he thought it was only right that honorable members should consider exactly what had been passed. He, for one, considered that the House had been legislating in a very unfair and unwise manner. His own opinion was that, in order to obviate any difficulty, they should have said at once, "We will bring in a Maori Special Representation Bill, and we will do justice to that part of the people of this colony. We believe they have a right to have nine representatives in this House, and we are prepared to give them that number." Failing that, it was the duty of the House to consider how far the qualification of electors under this Bill would affect the general representation of the North Island. If the Bill were passed as it at present stood, it would do an immense injustice to the European electors of the North Island; and, as a member for that Island, he objected to it altogether. He believed the easiest way to overcome the difficulty was simply to give the Natives their fair representation in the House; and the way to do that was at once to bring in a Bill stating fairly and aboveboard what that representation should be. Let there be no trickery or collusion, but a fair statement that the Natives were entitled to have nine representatives in the House. If the House would agree to that, he, for one, did not care whether the Bill were recommitted or not; but he would oppose any shuffling or trickery to the prejudice of the Maoris. He had always maintained that they were entitled to a larger share of representation than they had now, as being the original inhabitants of the country; and to attempt by any side-wind, or trickery, or peculiarity in the expression of a clause in a measure, to deprive them of that right, was unjust and unwise, and would eventually bring evil results upon the colony. Let the members of that House be men wise in their day, determined to do their duty as representatives of the people of New Zealand; and, if they arrived at that position, they must admit that the Native people of the country were entitled to have nine representatives in that Chamber. Nothing would satisfy him until that was done, because he believed that that alone would do away with the difficulties which had arisen. He had listened with great pleasure to the remarks of the honorable member for the Western Maori District—and he was sorry to have to make the distinction in his title of calling it a Maori district. He thoroughly indorsed every observation which his honorable friend had made. The European had been too much in the habit of looking upon the Native as simply a Maori. In the words of the poet,

He finds his fellow guilty of a skin
Not coloured like his own,
And, having power to enforce
The wrong, for such a cause
Dooms and devotes him as his prey.

That was exactly the case. We found the

Natives in these Islands having a different-coloured skin from our own, and we thought we had a right to trample upon them.—(Oh, oh!)—He was speaking of what had been a fact for years throughout New Zealand. He was speaking also as Chairman of the Native Affairs Committee, and because he knew that many of the petitions which went before that Committee were based upon the fact that Europeans, looking upon themselves as descendants of Great Britain, had come to this country and had trampled on those of the dark skin. That was but a fact, and it was the curse of New Zealand. It was a shame that any one who pretended to be a descendant of the British nation should so act. His parents came from that country, and he had a great fellow-feeling for the people of that nation; but, rather than be a party to such transactions, he would have his head severed from his body. We were in power now, as the Maori members had told the House; but what was the state of things forty-five years ago? Why, if the Native population of the country had chosen then to stop colonization—had they chosen then to say, "We will not have a white-skin on the Island"—would there be a European here now? No; most decidedly no. And he spoke with authority, because he was the son of one of those who first came to this Island to bring peace and civilization to it. Had the opinions entertained by those of whom he was but the youngest descendant been carried out by the Government of the colony, we should never have had such petitions sent to the House as he had seen, or been landed in the difficulty in which we were now placed. It was through the degrading accessories of civilization which had been introduced that we were now landed in interminable difficulties. He remembered the day when a man might have left a £20 note upon the ground among the Natives, and have gone away for days, and then come back and found it perfectly safe. But since this mock march of civilization had come in we had found the Natives unfortunately too apt to pick up the worst features of it. As an Englishman, he blushed to think that we, who professed to be the civilizers of New Zealand, should have taught our Native friends such gross and immoral practices. Now a man could not trust a £20 note in any part of the colony but some individual would pick it up and be off to another district to change it. That was what we had taught the Natives, and it was not they, but we, who professed to be the civilizers of the universe, who were to blame. Some of the arguments of his Native friends were quite just and correct—that the House should at once clearly, distinctly, and forcibly lay down one law, saying either that we considered them nonentities, or that we would give them their rights and a fair representation in the House. If the House would do that, all these measures would pass through with the greatest ease, but, if not, then there must be great delay. If the House tried any of those peculiar tactics which were so well known to the Parliament of New Zealand, and to all Parliaments, they would be doing a great injustice, and would be sitting there unwarrantably, because they would not be in their right position.

Let the House pass a resolution affirming that the Natives were entitled to nine representatives, and then it would be able to do away with the so-called dual vote, and could proceed with the general legislation of the country equitably and justly, and without delay. But if it denied the Natives their fair share of representation, then assuredly would the progress of legislation be delayed, and the blame must rest with those who refused to do justice to the Natives.

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	37
Noes	...	...	...	22

Majority for	...	...	...	15
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AYES.

Mr. Allwright,	Mr. Pitt,
Mr. Andrews,	Mr. Richardson,
Mr. Bain,	Mr. Rolleston,
Mr. Beetham,	Mr. Saunders,
Mr. Brandon,	Mr. Seymour,
Mr. Bryce,	Mr. Shephard,
Captain Colbeck,	Mr. Stevens,
Mr. Dick,	Mr. Sutton,
Mr. Gibbs,	Mr. Swanson,
Mr. Hall,	Mr. Tomoana,
Mr. Hursthouse,	Colonel Trimble,
Mr. Johnston,	Mr. Turnbull,
Mr. Kelly,	Mr. Wakefield,
Mr. Levin,	Major Willis,
Mr. Mason,	Mr. Reader Wood,
Mr. Masters,	Mr. Wright.
Mr. McLean,	<i>Tellers.</i>
Mr. Murray,	Mr. Bowen,
Mr. Oliver,	Mr. Seddon.

NOES.

Mr. Ballance,	Mr. Shrimski,
Mr. Barron,	Mr. Speight,
Mr. De Lautour,	Mr. Stewart,
Mr. J. B. Fisher,	Mr. Tainui,
Mr. J. T. Fisher,	Mr. Tawhai,
Mr. Gisborne,	Mr. Thomson,
Sir G. Grey,	Mr. Tole,
Mr. Hutchison,	Dr. Wallis.
Mr. Macandrew,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Hamlin,
Mr. Moss,	Mr. Landon.
Mr. Reid,	

PAIRS.

<i>For.</i>	<i>Against.</i>
Major Atkinson,	Mr. Bunny,
Mr. Fulton,	Mr. Ireland,
Mr. H. Hirst,	Mr. Finn,
Mr. W. J. Hurst,	Mr. Reeves,
Captain Kenny,	Mr. Pyke,
Mr. Moorhouse,	Mr. McDonald,
Mr. Ormond,	Mr. Hislop,
Mr. Richmond,	Mr. George,
Captain Russell,	Mr. Brown,
Mr. Whitaker,	Mr. Sheehan,
Mr. Whyte,	Major Harris.

The amendment was consequently agreed to.

Mr. HISLOP moved, as an amendment, That subsection (4) be also reconsidered in Committee.

Mr. Hamlin

He wished to correct the statement made by the honorable member for Geraldine. That honorable gentleman had attacked the ex-Premier with regard to the opinions expressed by him, and he persistently misrepresented the views the honorable member for the Thames had previously enunciated. On the second reading of the Bill now before the House he took occasion to correct the statement then made and now reiterated by the honorable member for Geraldine that the honorable member for the Thames had voted against limiting one person to one vote, and that the honorable member for Geraldine voted in favour of it. The fact was, that on that occasion the ex-Premier voted in favour of limiting an elector to one vote, whereas the honorable member for Geraldine did not vote at all. With regard to the views the honorable member expressed at Timaru, if the honorable member for Geraldine had taken the trouble to Hansardize the honorable member for the Thames, he would have found that the honorable member had distinctly stated that he was in favour of limiting persons to one vote, but for reasons which he explained he had not put this in his Bill. It would thus be seen that the honorable member for the Thames had expressed his opposition to this plural voting. The honorable member on that occasion also stated that there was no going back, and that the people of New Zealand would not long tolerate the possession of more than one vote by any man. Thus the honorable member for the Thames distinctly laid it down that a person should be limited to one vote, and he did all that he could to carry out those views.

Question put, "That the following words be added: 'and also to reconsider subsection (4) of section 2;'" upon which a division was called for, with the following result:—

Ayes	...	...	...	24
Noes	...	...	...	37

Majority against...	...	...	...	13
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AYES.

Mr. Ballance,	Mr. Reid,
Mr. De Lautour,	Mr. Speight,
Mr. J. B. Fisher,	Mr. Tainui,
Mr. J. T. Fisher,	Mr. Tawhai,
Sir G. Grey,	Major Te Wheoro,
Mr. Hamlin,	Mr. Thomson,
Mr. Hutchison,	Mr. Tole,
Mr. Ireland,	Mr. Tomoana,
Mr. Landon,	Major Willis.
Mr. Macandrew,	<i>Tellers.</i>
Mr. Montgomery,	Mr. George,
Mr. Moss,	Mr. Shrimski.
Mr. Pyke,	

NOES.

Mr. Allwright,	Mr. Oliver,
Mr. Andrews,	Mr. Pitt,
Mr. Bain,	Mr. Richardson,
Mr. Beetham,	Mr. Rolleston,
Mr. Bowen,	Mr. Saunders,
Mr. Brandon,	Mr. Seddon,
Mr. Bryce,	Mr. Seymour,
Captain Colbeck,	Mr. Shephard,

Mr. Dick,
Mr. Gibbs,
Mr. Gisborne,
Mr. Hall,
Mr. Hursthouse,
Mr. Johnston,
Mr. Levin,
Mr. Mason,
Mr. Masters,
Mr. McLean,
Mr. Murray,

Mr. Stevens,
Mr. Stewart,
Mr. Sutton,
Mr. Swanson,
Colonel Trimble,
Mr. Wakefield,
Mr. Reader Wood,
Mr. Wright.
Tellers.
Mr. Kelly,
Dr. Wallis.

PAIR.

For. Mr. Hislop.
Against. Mr. Ormond.

The amendment was consequently negatived.

Dr. WALLIS moved, as an amendment, That the Bill be recommitted for the reconsideration of subsection (2) of clause 2. He objected to the unfair way in which the debate had got rid of the question of woman suffrage. The whole question should be fairly opened up again and discussed, and with that view he moved the amendment.

Amendment negatived.

TELEGRAMS FOR ELECTIONEERING PURPOSES.

Mr. SHEEHAN.—Mr. Speaker, the Committee were kind enough to allow my proposal to report progress to pass without opposition, for the purpose of enabling me to make a short statement to the House on a matter of privilege. On moving that motion, I promised not to introduce any debatable matter, and also undertook that honorable members on this side of the House would raise no debate. I said that I would simply make my statement, and allow the Committee to go back to its work. That promise I will keep.

Sir G. GREY.—I must say we are not bound not to make any remarks if the necessity for doing so arises.

Mr. SHEEHAN.—I should not think any remarks will be necessary after I make my statement to the House. When these papers were laid upon the table yesterday, certain members had an opportunity of seeing them—amongst others the honorable member for Waikouaiti and the honorable member for Napier (Mr. Sutton). If I am wrong in what I now say, the last-named honorable member will correct me. He copied a telegram from myself with regard to a certain newspaper in Napier, and gave the contents to members in the House and to certain representatives of the Press outside the House. I find, on reference to my private telegrams, that that was a private telegram sent and paid for by me. I have the telegram here. I am going to leave the book in the hands of my honorable friend the member for Rodney, Mr. Seymour George, and honorable members will see that the statement which I now make is perfectly correct. My copies were written in this book by means of a carbonated sheet, and this is an absolute *fac simile* of the one which was sent to the telegraph office. I have ascertained that telegrams from other persons than Ministers were also

paid for and sent as private telegrams, and that these have been laid on the table. I have absolute proof of what I now state. I may add further that I have given instructions to my solicitor to take the necessary steps in this matter, and I intend to follow it up to the very death. That is all I have to say.

Mr. SPEAKER.—Does the honorable member desire to make any motion?

Mr. SHEEHAN.—To enable the honorable gentleman opposite to address the House, if he wishes to do so, I beg to move, That the House do now adjourn.

Mr. HALL.—I have only two words to say in this matter—namely, that my orders to the head of the Telegraph Office were in writing, and these were, that Government telegrams were to be furnished. If it turns out that there were other than Government telegrams produced, that is not my fault. I am not aware they have been.

Mr. SHEEHAN.—The course of law, I find, will settle that question. I am sorry that I shall have to go against some people in the office.

Mr. HUTCHISON.—The Hon. the Commissioner of Telegraphs stated last night that he alone was responsible for the entire conduct of the Telegraph Department.

Mr. HALL.—I am responsible for the orders I gave. These I hold myself responsible for, but not for anything else.

Mr. WAKEFIELD.—I think the whole of these proceedings are very ill-judged. The honorable member for the Thames (Mr. Sheehan) would have done much better to have left the whole matter alone. A Committee of the House was appointed to take into consideration the whole of the telegrams, and it was very unfair to that Committee for the honorable gentleman to make the statement he has made in reference to those telegrams—a statement which no person could possibly judge the value of, not having seen the telegrams. I am not referring to this particular telegram, but to a number of others. They have been referred to a Committee, and I think the honorable member for the Thames would have best consulted his own interests and the interests of the House if he had allowed the Committee to proceed to their duties uninterruptedly, without taking any steps such as those he has taken to-night. I must say especially that I think he did wrong to inform the House that he was going to bring actions at law. We have nothing to do with what the honorable gentleman does in his private capacity. The matter having been referred to a Committee, it ought to have been allowed to go without any further discussion in this House.

Mr. SHEEHAN.—Certainly not.

Mr. WAKEFIELD.—I think so. Having been referred to a Committee, the honorable member was not in order in referring to the subject in the manner he has done. Until that Committee reported, the subject could not again be discussed in the House. The honorable gentleman has made a statement which certainly would open up the whole discussion on those telegrams again. Ministers are open to imputation, and the remarks of the honorable member for Wellington

City (Mr. Hutchison) have not improved matters. The subject has been referred to a Committee, and that Committee ought to be allowed to proceed to its duties without further discussion. We shall then get a report which will, I am sure, be satisfactory to all members of the House.

Mr. SHRIMSKI.—I think that, instead of saying a word against the honorable member for the Thames (Mr. Sheehan) in reference to the action he has taken, it would have been far more graceful on the part of those who spread rumours about to accept what he said, because the honorable gentleman meant it in good will and in good faith. It was a warning to those who circulated the telegram outside the House to stop it, and not pursue the same course that had been pursued by the honorable member for Napier (Mr. Sutton). The honorable member for the Thames meant his statement as a warning that if they circulated this telegram they would be prosecuted, and I think that, for giving that warning, the conduct of the honorable gentleman ought rather to be commended than condemned.

Sir G. GREY.—Sir, I cannot at all agree in the doctrine which the honorable member for Geraldine has laid down. He states that, if the honorable member for the Thames has been injured in his private capacity, as he chooses to put it, this House has nothing to do with it. This House, I say, has everything to do with it. The honorable member for the Thames has been injured by the leaders of this House, by an abuse of the powers which this House has intrusted to their hands. It is not in his private capacity, but in his former capacity as a member of the Government that he has been injured. I never heard a more monstrous doctrine than that which has been laid down by the honorable member for Geraldine. Undoubtedly the House has everything to do with it. The honorable member is in the hands of the House at present; and if those persons who ought to protect them use their office for the purpose of inflicting injury on honorable members, it ought instantly to be noticed. I do not think a greater crime could be committed. I cannot conceive anything baser towards a previous Ministry than to take their private telegrams and lay them before the country. In my office I have left every private and public document I received, except from members of my family, and should be glad if they were all made public; but that they should be taken out piecemeal and be published in that manner is an intolerable grievance, to which no man ought to submit for a moment. The honorable member for the Thames has only done his duty to-night in bringing this matter forward. In the first place, I do not think the Committee which has been appointed a fair Committee. I do not think the honorable member for Geraldine ought to have been allowed on that Committee. I think it is his duty to retire. I think the honorable member for Cheviot ought not to have been appointed: but I am told the Government forced those two gentlemen on it, and would not allow the Committee to be appointed except upon those terms. I think that a most improper proceeding. I have no confidence whatever in the Committee

Mr. Wakefield

as appointed, and I intend to bring everything before the House and the country. The character of my colleague the honorable member for the Thames depends absolutely upon this: and why is he not to rise instantly and defend his character when he can do it? To say that he should sit still whilst under an aspersion of this kind until the honorable member for Geraldine passes his opinion upon it is one of the most extraordinary doctrines I ever heard. I am delighted with the honorable member for the Thames. He has done his duty to his constituents, to himself, to this House, and to future Ministries; and I hope that, before it has done with the subject, the House will pass some vote of censure on the Ministry for their conduct in this matter.

Mr. WAKEFIELD.—As a matter of personal explanation, I may be allowed to state that I was placed on this Committee without my knowledge in my absence. I never knew of it until long after it was done. I was not forced upon it by the Ministry; and the list of names was submitted to the honorable member for Port Chalmers and approved by him. The honorable member has no right whatever to make such a charge.

Mr. SPEAKER.—The honorable member has made a personal explanation, and I cannot allow him to reply to the arguments used by the honorable member for the Thames.

Mr. WAKEFIELD.—I have made no reply whatever.

Mr. SPEAKER.—The honorable member appears to be refuting the charges made by the member for the Thames (Sir G. Grey).

Mr. WAKEFIELD.—Then I am sorry you think so, Sir. It was the interruption that took place which drowned my voice altogether. I was going to say that it was done without my knowledge, and I wished to add that I felt perfectly competent to form an unbiassed judgment on the honorable gentleman's character. I am sure he would be the last to think I was unable to form a judgment upon it.

Sir G. GREY.—I also must make a personal explanation. I made no charge against the honorable gentleman. I did not say that he insisted on being placed on the Committee. I said that the Government insisted upon his being put there.

Mr. HALL.—I think it is my turn to make a personal explanation. What took place was this: The Government drew up a list of names to represent our side of the House, and submitted it to the honorable member for Port Chalmers—I do not remember whether the honorable gentleman gave us a list of those who were to represent the other side—and out of our list the honorable gentleman objected to one name. We agreed to excise it, and another name was put in. There was only a difficulty concerning this one name, and in regard to that name we came to an amicable arrangement. It will therefore be seen that the honorable member for the Thames (Sir G. Grey) has gone further than the facts justified, in saying that the Government insisted on the honorable

member for Geraldine and the honorable member for Cheviot being put on the Committee.

Mr. MACANDREW.—This is a somewhat delicate subject. There is no doubt the Committee was a compromise. We had a conversation about the matter which lasted over a quarter of an hour. Two members of the Committee were very strong partisans, I must say, and I expressed myself to that effect to the Government; but they agreed to accept four members of our side if I would accept an equal number of theirs, and I consented to that, because I knew it would save a long and acrimonious discussion. Certainly if they had insisted upon the names first submitted I should not have agreed to the Committee at all. As it is, the Committee was a compromise, and, as I consider, not an unfair one. I feel satisfied that it will deal fairly with the question.

Mr. STEWART.—There is no doubt whatever that the honorable member for Geraldine prejudged the case in the speech he made last night. Had I spoken as the honorable gentleman did in reference to the matter, I should certainly decline to sit on the Committee, which cannot act impartially so far as the honorable member for Cheviot and the honorable member for Geraldine are concerned. I do not attribute anything improper to them, but it is practically impossible that they could come to the consideration of this subject with that impartiality which should govern a matter of the sort.

Colonel TRIMBLE.—I must protest against this system of telling us, before it sits, what a Committee is going to do. Let the Committee sit first, and bring up its report: then we can discuss it as fully and as freely as we like. Every honorable member had an opportunity of objecting to the names last night, and they did not do it. What the honorable member for the Thames (Sir G. Grey) says amounts to this: that the Committee was not appointed from one side. I do not suppose he wanted a Committee that the House would believe in; he would like to have had it appointed upon his own *ipse dixit*. Then the honorable member for Dunedin City attempted to prejudge the Committee by throwing out remarks to the effect that it was tainted from its inception. I have seen gentlemen like the honorable member discoursing in the Police Courts before now, and throwing out insinuations against the character of witnesses. The honorable gentleman has done too much of that sort of thing in this House, and it is time once for all to protest against it.

Mr. SPEIGHT.—I quite agree that, the Committee having been appointed, we ought to trust it, and not prejudice it. But material has been sent before this Committee that ought not to have been sent before it at all. I hold in my hand a telegram from a private individual who says that he sent and paid for several of those telegrams which have been laid on the table without law or warrant, and even without being called for. He says, "All election telegrams were paid for, and my assistant confirms it." Is it right that the Committee should even see such telegrams, or say anything about them? Is it not

right that we should decide now whether the Committee should sit upon such telegrams at all, and whether it would not be better to withdraw the telegrams altogether? I asked the Premier last night to withdraw these private telegrams; and I say now that the telegrams should be examined, and that any which are not strictly Government telegrams should be withdrawn absolutely. The more exposure that is given to them will only make matters worse, in view of future legal proceedings, and I hope the honorable gentlemen will not permit the language of these telegrams to be used to the detriment of the persons who sent them.

Mr. HALL.—I said last night that I would do what the honorable gentleman requests; and I have already given orders to that effect—that the telegrams shall be traced back to the offices at which they were put in; and, if it is found that any of them were ordinary telegrams and were paid for, they shall be withdrawn. I have already given orders that all necessary inquiries must be made.

Mr. HISLOP.—That is not sufficient. We know that mistakes may be made. It may be true that some of these private telegrams are marked "G. T.;" but, suppose they are, we have the evidence of the persons who put in the telegrams against the evidence of the operators, who may have kept the money paid for the telegrams and put them in as "G. T." telegrams. I hope the Premier will at once agree to the whole of these papers being burnt. Where there is the slightest suspicion of a breach of confidence on the part of the department, backed up as that suspicion is by the statements of several honorable gentlemen, we should at once agree that no further use should be made of the papers. Then there is another point. These telegrams are to be sent to a Committee which is not sworn to secrecy. If the Committee had been sworn to secrecy, then there would be some guarantee that nothing that was unfair would be done with regard to these documents; but, when we find honorable members so wanting in ordinary decency as to take copies of telegrams which by a mistake had been laid on the table, and to send those copies to other parts of the colony, we can have no confidence in a Committee part of which is chosen from amongst such honorable members, because there may be members on the Committee who would act as indecently as those honorable gentlemen have done. It would be better to burn the telegrams than risk any further breach of confidence.

Mr. REEVES.—I do not agree that these telegrams should be burnt. The mischief has been done. It is like knocking a man down, and apologizing afterwards. The honorable member for Napier and the honorable member for Waikouaiti have seen and taken copies of the telegrams, and, they having seen them, it is safe to say that their contents are known to the whole colony. So that, instead of doing any harm, it may do a considerable amount of good to let all these telegrams go before the Committee, when it will be seen whether these gentlemen have acted in a fair spirit and with common honesty. It is an absurdity to talk

about burning these telegrams, and to think we shall get out of the difficulty in that way. We have got into the difficulty—the harm has been done—and the only thing now is for the Committee to make a thorough inquiry into the whole matter.

Mr. SUTTON.—Sir, not only did I and the honorable member for Waikouaiti see these telegrams, but a great many other honorable members also read them and took a special interest in them. It was only about a quarter of an hour or twenty minutes before the adjournment that I got a chance of seeing them. The honorable member for Rodney, the honorable member for Mongonui, and several other honorable members on that side of the House, saw them and studied them. I am not aware that there is anything wrong in my taking a copy of any document that is laid before the House; and I have yet to learn that the fact of a telegram having been written in a book used for ordinary telegrams is a proof that it was not a Government telegram. There may be many others in that book which will turn out to be Government telegrams, and I hope the honorable gentleman will remit the book to the Committee, when no doubt it will be seen whether they were private or Government telegrams.

Mr. ROLLESTON.—It seems to me we are anticipating very much the action of the Committee. I merely rise to say that, as I understand the matter, my honorable colleague has given instructions that a fresh inquiry shall be made with regard to those telegrams about which a doubt has been expressed or about which there can be any doubt. The documents laid on the table are now in the custody of the Speaker, and, if it turns out that any of those telegrams are such as ought not to be there, my honorable colleague will advise Mr. Speaker that they should be withdrawn. Nothing could be more distinctly understood than that this Committee would deal with these telegrams in an impartial way, and nothing further can be done with them until they have been thoroughly examined. Therefore I cannot see that any good purpose will be served by pursuing the inquiry further here. I think it is a very great pity that the question of the impartiality of the Committee should have been raised. There is no doubt the Committee was formed in the fairest possible way between the leader of the Government and the leader of the Opposition, concessions being made on both sides. There are two ex-Ministers on the Committee, one of whom, the honorable member for Totara, has expressed himself very strongly on the subject. But I am glad to say there are gentlemen in this House—and I am one—who frequently express opinions upon the information they possess at the time, but who are ready to have them corrected by further information. When gentlemen have a responsibility thrown upon them, you have no right to say that they are not capable of forming an impartial judgment upon a question because they have expressed opinions with regard to it in the House. The thing has occurred over and over again, and I am perfectly satisfied that the honorable member for Totara, the honorable

Mr. Reeves

member for Port Chalmers, and the honorable member for Akaroa, and the other honorable members from that side of the House who are on the Committee will approach the subject in a fair and impartial spirit. I hope the real work of the House will no longer be put off for the purpose of anticipating the work of the Committee. The matter is quite safe in the hands of Mr. Speaker, and the Government has done its utmost to cause further inquiry to be made, in order to anticipate anything that may be unfair in the papers which are going before the Committee.

Mr. SEDDON.—I disagree with the last speaker as to the formation of this Committee. I do not think the selection of the Committee was fairly made, because the House had no chance of challenging the arrangement made between the Government and the leader of the Opposition. I say, no person interested in these telegrams should have been on the Committee: such persons should have been left to be witnesses and to explain any telegrams referring to them. I do not think it is fair to this House, or fair to the public, that this Committee should have been formed as it was formed. However, let the blame rest on the shoulders of the Premier and the leader of the Opposition, for, of course, it is no use for us now to express an opinion upon the formation of the Committee, as we did not speak upon it last night. The blame for the whole of this business really rests on the shoulders of the Premier, and in this respect: At the time the question was put by the honorable member for Cheviot, we were all anticipating the no-confidence motion, and, of course, it would be a very strong argument against the party who wanted to get into power again, if these telegrams were laid on the table. That, no doubt, was the intention at the time the telegrams were asked for. But when the no-confidence motion was withdrawn and we settled down quietly to business again, I think the Premier would have acted wisely, and would have saved a great deal of ill-feeling, if he had done simply what the honorable member asked of him—namely, to lay on the table the telegrams sent by the Ministry as public telegrams. And it is not too late yet for the Premier to take that course. Last night he refused the suggestion made by the honorable member for Auckland City East. He said, certainly, that, on being satisfied that any of the telegrams were private and had been paid for, he would withdraw them; but when pressed to withdraw those sent to the Government by persons outside the House, or who may be in the House now, he would not agree to do so. That is where the secret of all this difficulty lies, and there is still plenty of time to withdraw those telegrams sent by individuals to the Government. It was never contemplated, at the time they were sent, whether they were paid for or not, that they would be brought before the House in this way. Though not included, it may be that I myself, taking an active part, as I did, in political matters, may have telegraphed to Ministers my opinion as to how the elections in certain districts were progressing. My telegram may have been paid for or it may not. My usual plan was to pay for them when I asked Ministers

for advice, but there may have been many other gentlemen who did not pay for their telegrams and yet imagined they were strictly private. Ministers were going about from place to place, as they must do at election-times, being candidates themselves, and wanting to assist other candidates; and if a telegram was sent to the head office it would be a matter for the consideration of the officer in charge of the department whether he should telegraph back to the sender to know whether his telegram should be sent on or not, or send it on straight to the Minister. He would most likely take the latter course; and no doubt, when the Minister received the message, he would think—if he gave the matter a thought at all—that it was not worth while to charge the person who sent it. It is quite possible that a number of these telegrams are in that position; and, such being the case, is it not fair to ask the Premier to adhere to what the honorable member for Cheviot asked him to do? We cannot recall what we have done; and, if honorable members have sent any of these telegrams abroad, we cannot help it. I must say for the honorable member for Napier that he is suffering in another place from the action of some honorable members of the House, who, being his political opponents, are, as he considers, using their influence against him; and it is only natural that he should avail himself of an opportunity of paying them back. I say he is not to blame; for all the blame lies in the fact that telegrams which were never asked for, and which were never intended to be used as they have been, were laid on the table. I say that we were going on quietly with private business, and it was blamable on the part of the Premier that he should have produced these telegrams at such a time. Let him now say that he will withdraw all those which have been sent by private persons, and then let the Committee inquire into those which were sent by Ministers. That is what was wanted by the honorable member for Cheviot; and, if that course is adopted, it will be very easy to get over the difficulty. A mistake has been made, and we shall be only making bad worse if we go on further with this matter.

Mr. GISBORNE.—Sir, as a matter of personal explanation, I may say that I was not aware, until the motion of appointment was made, that my name was on the Committee; and, directly I heard it mentioned, I said in my place here in the House that I thought it would be better I should not serve on the Committee, because I was a member of the Ministry whose conduct was impugned. My objection, however, did not seem to meet with the approval of the House. I submitted to its decision. I think I need not assure the House that, notwithstanding any expression of opinion I may have, on the information before me, given utterance to here, I shall try on the Committee to do my duty in the fairest and most impartial manner.

Mr. HUTCHISON.—I think the honorable member for Dunedin City made a mistake in supposing any one appointed to the Committee will not act fairly because he has spoken strongly in the House on the subject. Referring to the

honorable member for Geraldine, I must say I am quite satisfied that that honorable gentleman will, as a member of the Committee, discharge his duty impartially. I believe with the Minister of Lands that every member of this House rises to a sense of the responsibility of his position in such circumstances, and would scorn to do anything that was not perfectly fair and just in such an inquiry. And as for honorable members having spoken strongly on the subject in the House, it is not those who speak who always feel most strongly; it is often those who do not speak at all. For instance, there is myself. I do not know that any member of this House has felt more strongly on this subject than I have. No one can possibly have felt more indignation at such a despicable thing as prying, and spying, and taking round-about processes to find out something to be used against a political opponent. I think the production of some of these telegrams to have been a gross blunder—fallen into unwittingly, perhaps; and I think it is a still greater blunder that we should have been called upon to discuss them at all. The Commissioner of Telegraphs said he was only responsible for those telegrams which were produced under the terms of his order. I have not seen these telegrams, and do not know what they contain; but, supposing there are some of them which he has not ordered, is he not responsible for them, or are the unfortunate clerks in the office to be punished because he has not ordered them to be produced? Is the displeasure of this House, and of the political head of the department, to fall upon those men because, in carrying out his order as they thought, they have unwittingly supplied documents that he did not intend, thinking, no doubt, that in that respect they would be pleasing Ministers?

Mr. HALL.—No.

Mr. HUTCHISON.—I say Yes. They got the order, and no doubt they set themselves to work to ransack the office and turn up every telegram that would tell against the opposite party, and please the parties they were serving. That is exactly what it comes to. I understand him to say now that he stands strictly by the written order which he gave, and that anything beyond that is a matter of blame and censure upon the officers of the department. I understood him to say most distinctly last night that he was responsible for everything done in that department; that the officers of that department were of a most impeccable character—no men better. But we now know differently. We know a number of things that take place somewhat different from that. I do not lay blame on the department. You cannot expect that department to be conducted in the way a Telegraph Department ought to be conducted. When you take boys from the street and pay them a paltry pittance, how can you expect them to conduct the department with that strict secrecy which might be expected from men who are paid a sufficient sum to be above temptation? I say that by the way. The Commissioner of Telegraphs said—I am speaking now in the interests of the Telegraph Department—that for anything that took place in that department he, and he alone, was responsible. To-night I under-

stood him to say that he is responsible only for any written order he gave, but that anything beyond that he is not responsible for. I would like him to give no uncertain sound on that point. It will be a poor thing to shelter himself from blame under cover of officials who were only anxious to do him a political service.

Mr. J. T. FISHER.—I think the Telegraph Department has generally worked uncommonly well. I do not like to hear these things said about secrets escaping from the Telegraph Office. If these things are known by the public they should report them to the department. It is very unfair to make such statements about these young men because some of them are not very well paid. Is it to be said that because a man is not well paid he is not honest? I held the portfolio of that department for nearly two years, and I heard very few complaints indeed as to the manner in which it was conducted. There was only one case of a breach of secrecy, and the young man was dismissed immediately. If such a thing is known it is a public duty to report such a case directly it comes to light.

Mr. McLEAN.—I should like to support the statement just made by the honorable member for Heathcote about the department. When I had the honor to conduct that department, whenever there was a statement of the nature alluded to by the honorable member for Wellington City I always traced it to the very bottom, and I am quite convinced that the department is strictly secret. I just wish to say a few words with regard to the honorable member for Napier and the honorable member for the Thames (Mr. Sheehan), who appear to have a bitter feud against each other. As for the attack upon me last night by the honorable member for the Thames, he need not think for a moment that it will in the slightest degree deter me from ferreting out everything that I think is wrong, and exposing every such transaction that I can expose. With regard to the junior member for Dunedin City (Mr. Stewart), I think it would be rather more becoming in him if he did not interfere in the manner he has done with this Committee. Let me tell the honorable gentleman that there was some time ago a member of this House who held a very strong opinion upon a certain case. He looked into the whole law of it and was perfectly satisfied; but when he went into the Committee and examined into the matter he fought on the other side as hard as he could.

Mr. STEWART.—It is untrue.

Mr. McLEAN.—The honorable gentleman says it is untrue. Then the honorable gentleman knows what I am referring to. No doubt the cap fits the honorable gentleman. I say the honorable gentleman I refer to looked into the whole case, and persuaded the man who was bringing the case forward to press it on, and yet when he got on to the Committee he was convinced that he was wrong, and went in for the other side. If there was such a case as that, why does the honorable member for Dunedin City get up and challenge it?

Mr. SPEIGHT.—I rise to a point of order.

Mr. Hutchison

The honorable member for Dunedin City has distinctly denied that such a thing occurred.

Mr. SPEAKER.—I do not know what the honorable member is alluding to.

Mr. SPEIGHT.—He is alluding to reports in newspapers.

Mr. McLEAN.—I am not referring to newspapers at all. I made a certain statement about a gentleman who spoke strongly on one side, and then, when he went on to a Committee, changed to the other side and advocated it with all his strength. I only mention this to show that a gentleman who expresses strong opinions upon one side of a case may, when he gets on a Committee and inquires into the matter, change his opinion and go on to the other side.

Mr. HALL.—As I have been alluded to, I wish to make a few remarks.

Mr. SPEAKER.—The honorable gentleman has already spoken.

Mr. HALL.—Then I submit it is very unfair that a gentleman should make a statement when he knows I am unable to reply.

Mr. TOLE.—It is all very well to give testimonials about the working of this department, but I should like to know what satisfaction is to be given to those private individuals who have sent telegrams. I repeat, by what authority of law or precedent were these telegrams allowed to be laid on the table or shown to the Minister? I have looked into the law several times, and my opinion is supported by gentlemen who have read the law repeatedly, and I cannot see that in any case, except in a criminal proceeding, should a telegram be divulged or made public, without the consent of the transmitter or the receiver. I think the whole of the telegrams should be withdrawn, and if the Committee is to inquire into any question it should be simply this: By what lawful warrant were these telegrams laid upon the table? The duty of the Premier, in reply to the question of the honorable member for Cheviot, was to ascertain solely how many of these telegrams were sent by the late Ministers at public expense; and even then, I think, propriety and the absence of law should have made him decline to lay them on the table.

Mr. OLIVER.—The Premier has told the House that he gave written instructions to the head of the Telegraph Department to produce Government telegrams relating to the late elections—meaning telegrams paid for by the country. I do not see that any distinction can be made between telegrams sent by the Government and paid for by the country, and telegrams sent to the Government and paid for by the country. If telegrams are paid for by the country they become the property of the country, and are Government telegrams. So far from desiring that any breach of the secrecy which properly appertains to the Telegraph Department should be made, if it is the desire of the Committee to which these telegrams are referred to except from their examination and the scrutiny of members those telegrams which were sent to the Government, although they may have been paid for by the country, the Government has no desire to prejudge the matter. It is quite open to the Com-

mittee to recommend that these telegrams shall be excluded from their operations, and the Government will at once accept that advice. Our only desire is that justice shall be done to certain honorable members of this House who have been unjustly treated through the influence the late Government exercised whilst in office. In that desire the House should sympathize, and should strengthen our hands rather than interpose any obstacles to arriving at justice in the matter.

Mr. SHEEHAN.—I had no intention to raise a discussion upon this matter at all. I simply wished to put myself right on the particular point referred to; and I blame the honorable member for Geraldine for starting the debate. The honorable member for Grey and Bell has proved the claim which he has made in the House of being a more advanced Liberal than Sir George Grey. Judging from what he said of the honorable member for Dunedin City (Mr. Stewart), he is quite as advanced as Jack Cade, and will be ready to hang all the lawyers. The honorable gentleman (Mr. Stewart) said nothing unparliamentary. If lawyers are so objectionable, let the constituencies keep them out of the House. A nice mess the honorable member for Grey and Bell and his friends would be in then. It would be a fine thing for our profession, because we should be rolling in wealth, while the honorable gentleman and those in the House with him would be sent to Coventry by their constituents for their shortcomings. The honorable member for Geraldine has appealed to me. I may say that I do not agree with what has been said about this Committee. If we are to have a really impartial Committee, we cannot get it in this House. I cannot conceive of any Committee being formed in this House which will not contain party men. To obtain that, we shall have to fall back upon the messengers, or pray a *tales* from the gallery. Therefore I attach no blame to the Committee. The honorable member for Napier (Mr. Sutton) was good enough to say that I promised to hand my private telegram book to the Committee. I said nothing of the kind. I said I would place the book in the hands of the honorable member for Rodney, and that any honorable member could see it there. No doubt, after what I saw yesterday, the honorable member for Napier and the honorable member for Waikouaiti would like to see my private telegram book. The honorable member for Waikouaiti said he was determined to ferret out everything. That is his special delight and pleasure in this House. He has, of course, the Shakespearean excuse—"T's my vocation, Hal: 'tis no sin for a man to labour in his vocation." I have frequently observed in the Wellington papers paragraphs complaining of a want of precaution on the part of the Inspector of Nuisances: dead cats and dogs are floating about the harbour, and coming up on the beach, and a nuisance is caused—stinks. Now, I do not know whether the officer who holds that position is about to resign or not; but if he is, and if the Mayor of Wellington applies to me for advice, I will point out a person to him who, I think, would make the best Inspector of Nuisances in the colony. I shall not mention any names, be-

cause I might injure his chance; but I promise an honorable gentleman, to whom I am now referring, that he shall have my support and influence. What I complain of is this: When by inadvertence—I take the Premier of the colony at his word—private wires were laid on the table, and when the matter was brought under your notice, you recalled the papers, the honorable member for Napier, the honorable member for Waikouaiti, and other members on that side having seen them. The moment you communicated to the House that you were not satisfied about those papers being properly on the table, what would have been the action of a gentleman? A gentleman would have said, "By mistake I have seen those papers. I must keep my lips sealed as to their contents until the House settles the question." That would be the language of a gentleman, but perhaps it would be speaking an unknown tongue to the honorable member for Napier.

Mr. SUTTON.—I never heard Mr. Speaker make any communication of the sort.

Mr. SPEAKER.—I did not call upon honorable members to hold their voices with regard to the information obtained. I think the language of the honorable member for the Thames is too strong.

Mr. SHEEHAN.—I did not say you did. I said you called for the papers to be given up to you. As a matter of fact you refused to let my honorable friend here see them after you had taken them into your possession. The intimation you made that you would keep these papers until it was determined that they had been properly produced, ought to have been sufficient to cause a gentleman with any sense of honor to remain silent as to their contents.

Mr. SUTTON.—Sir, you made no statement.

Mr. SHEEHAN.—You called for these papers in the House, and I saw the honorable member for Napier, in obedience to your summons, bring them up and deliver them to the Clerk. I saw him walk over from his seat and lay them on the table, in front of the Clerk.

Mr. SUTTON.—The messenger came and asked me for these papers, sitting here.

Mr. SHEEHAN.—I saw the honorable gentleman walk up and lay the papers on the table, and, on going back to his seat, cast "one longing lingering look behind." However, it does not matter much. I have explained the reason why I brought the matter before the House. I am prepared to abide by the decision of the Committee. The honorable gentleman has seen those telegrams, and he has copied one which was a private telegram, paid for by me and sent to a private person. He went about the building during the sitting of the House repeating the contents of the telegram. I heard him repeating the contents to two newspaper gentlemen in the lobbies. I spoke to him in a quiet and friendly manner, and said it was hardly fair on his part to repeat the contents of a message which had been unfairly laid on the table, and which was under your consideration. The honorable gentleman disregarded what I said, and went on to repeat the contents in even a louder tone. I have no personal feeling

against the honorable gentleman. I have been opposed to him on legal matters, and also in politics; but, whatever may be my misdeeds, I can say that personally I hold no malice against any single member of this House. I have even gone out of my way to avoid showing any personal feeling towards the honorable gentleman. I hope, in his conscience, he will be able to say the same thing of himself. I doubt it very much indeed. The Premier has been good enough to say that he holds himself responsible for the order given for the production of these telegrams. We have the Commissioner of Telegraphs giving orders to his subordinates to perform an act in respect of which this House has made special legislation, and attached to a breach of which there is a penalty of £100, or six months' imprisonment. When the honorable member calls upon his subordinates to produce these telegrams, if they have been wrongly produced the penalty will not fall upon the honorable gentleman, but upon his subordinates. He calls upon his subordinates to commit a breach of the law, in regard to which there is a penalty of a specific and hard character.

Mr. McLEAN.—There is no penalty.

Mr. SHEEHAN.—He has called upon his subordinates to produce these telegrams; and, if some of them are proved to be private telegrams, a breach of the law has been committed. We are bound to presume that the subordinates carried out the honorable gentleman's orders. Is it to be supposed that the honorable member took these papers from his subordinates without looking at them to ascertain their character? I presume the honorable gentleman must have gone through these papers. He has been long in official life, and has acquired official habits; and he must have seen, first of all, that, the papers having been put upon the table of the House, it was an act in plain violation of the question put by the honorable member for Cheviot. The question was, for the production of telegrams sent by Ministers for electioneering purposes. The return given comprised telegrams not only sent by Ministers, but sent to them. The Minister for Public Works has suggested that these telegrams, having been paid for by public money, were as much entitled to be placed on the table of the House as the telegrams sent by Ministers. I cannot see the force of such reasoning. It appears to me that, having departed from the ordinary rule and having got these papers on the table, Ministers were bound in honor to adhere strictly to the law, and treat these telegrams with inviolable secrecy. I said, on a previous occasion, that the production of these telegrams was a labour of love. I believe so still. I am not speaking of the subordinates, who, I believe, are in every way faithful servants; but I speak of the persons to whom the instructions were given, and by whom the order was given to produce these wires. I say that to them it was a labour of love. I can quite imagine that when these gentlemen came back with the documents my honorable friend and those who happened to be with him enjoyed the perusal of them very much. It must have been a great treat to them to read these tele-

Mr. Sheehan

grams. No doubt they felt greatly pleased at the idea that, as they thought, they had found out that my honourable friend the member for the Thames and myself had been sending wires at the public expense. The joke, no doubt, was an exceedingly enjoyable one to those honorable gentlemen. The Premier was so elated that he forgot the order which had been given by the House. The honorable gentleman now tells us that he will cause the telegrams to be looked through, and if he finds any of a private character he will ask that they be withdrawn.

Mr. HALL.—I said that if there were any private telegrams, prepaid by private persons, they should be withdrawn.

Mr. SHEEHAN.—I feel deeply thankful to the honorable gentleman for his great condescension in saying that he will have these private messages withdrawn.

Mr. HALL.—I did not say so. I have no power to withdraw them. I have not the slightest objection to their being withdrawn. They are now in the hands of the Speaker.

Mr. SHEEHAN.—The honorable gentleman says he will have no objection to the telegrams being withdrawn. I should occupy too much time if I were to express the gratitude I feel to the honorable gentleman. I should like to have a special night to myself to enable me to pronounce a eulogium on the conduct of the honorable gentleman.

Mr. HALL.—The honorable gentleman, when he first addressed the House, stated that he did not propose to do more than make a short statement, and that he would not raise any debatable matter. I therefore contented myself by saying not more than a dozen words. I ask you, Sir, whether the honorable gentleman is not doing more than he has a fair right to do in reply. The honorable gentleman has a right to reply to anything said in the course of debate; but I submit that it is unfair, and contrary to parliamentary rule, that he should introduce new matter when honorable members have no opportunity of replying.

Mr. SPEAKER.—I think the honorable member is exceeding the ordinary limit of reply. I am aware that the honorable gentleman intimated that he would not introduce any debatable matter.

Mr. SHEEHAN.—I have no desire to discuss the question. The honorable gentleman spoke three times, and I am speaking in reply. I am desirous of expressing to the honorable gentleman my deep sense of thankfulness for the favour he has been graciously pleased to show to myself and those who have been injured by the production of these telegrams. He says that if it should turn out that these messages happen to be private property, paid for by the transmitter or receiver, he would have no objection to their being withdrawn from the table of the House. Would he have any objection to the proper punishment being put upon the person who gave the telegrams into his hand? Will he remit the punishment that the Court would inflict if the charge be true? I have heard of locking the stable-door after the horse has been stolen, and I have also heard of

death-bed repentance. The honorable gentleman tells us that he is going to perform a similar act to his political opponents. After these telegrams have been sown broadcast over the country, and have formed the theme of many leading articles, the honorable gentleman says, "Really I am very sorry. I was not aware that this was a private telegram. If I had known that, I would not have laid it on the table of the House. I shall have no objection to the Speaker being good enough to extract that wire from the papers on the table." The honorable gentleman has an extraordinary notion of what is due to honorable members. I submit that he was called upon to exercise even more than ordinary fairness from the fact that these telegrams were those of his political opponents, and he ought to have returned an answer to the question of the honorable member for Cheviot in exact compliance with the terms of that question. I say, for myself, that I hope the benevolent intentions of my honorable friend will not meet with your approval. I trust you will not allow a single one of these telegrams to be taken out of the return, but that you will let the whole of them go to the Committee. I do not care if the whole House sees what telegrams I have sent and paid for; but I certainly do protest against any attempt being made to mutilate the return laid on the table. At the same time, I submit that it would be a proper thing, under the circumstances, if the Committee were, as I believe is sometimes customary, sworn to secrecy until such time as the telegrams have been determined to be public or private. That would be only fair. We have no right to satisfy the pruriency of honorable members, by allowing them to have access to these telegrams until it has been clearly proved that they are public property. I have but one more word to say. I have ascertained during the last few days that a practice of this kind prevails: Private persons telegraphing to Ministers at Wellington would pay for those telegrams. They would be sent to Wellington in the ordinary course, as private wires, at the expense of the transmitter, or they would be marked "Collect." If the Minister to whom the telegram had been sent was absent from Wellington, the telegram would be transmitted to him and franked as a public telegram. This had been done in the case of a telegram sent by the honorable member for Buller. I believe, if these telegrams were examined, it would be found that they were originally private wires, sent as such and paid for as such. I am sorry for having taken up the time of the House so long, and should not have done so had it not been for the fact that some of these wires have been copied, and made the subject of newspaper attacks all over the colony. Such being the case, I was bound, in justice to myself, to put before the House, at the earliest possible moment, the fact that this very telegram which has been made the subject of attack against myself is a private wire, marked so in my private book; and it will be found to be so in the Government office. I said last night, speaking for myself, and I repeat it now, that I do not think the Premier would

willingly be a party to the offence now committed. —(No.)—I speak for myself; honorable gentlemen may disagree with me if they like. I do not think he would willingly be a party to this proceeding, but I believe he has on this occasion allowed his exultation at the discovery of what he thought would lead to the discomfiture of his political opponents to overcome his better judgment. The consequence has been the production of these messages, which should never have seen the light of day except with the consent of the transmitters or receivers. The effect of this inquiry will be to shake the public confidence in the Telegraph Department. The confidence of the public in the secrecy of that department will be shaken if it turns out that a Minister may demand the production of telegrams from the Telegraph Office. With this short statement I shall now leave the matter. I am sorry to have taken up the time of the House so long, and I trust those honorable gentlemen who are anxious to get into Committee on the Qualification of Electors Bill will not accuse me of endeavouring to interfere with the progress of that measure; because I am as desirous as they can be that it should be proceeded with.

Motion negatived.

QUALIFICATION OF ELECTORS BILL.

This Bill was further considered in Committee.

Clause 2.—Qualification of electors. Freehold.

Mr. MONTGOMERY moved, That the following words be prefixed to subsection (1): "Subject to the condition that no person shall by virtue of this Act be entitled to have his name placed as an elector on more than one electoral roll in force in the colony for the time being."

Question put, "That the words proposed to be prefixed be there prefixed;" upon which a division was taken, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	29
Majority against ...					7

AYES.

Mr. Barron,	Mr. Reid,
Mr. De Lautour,	Mr. Seddon,
Mr. J. T. Fisher,	Mr. Shephard,
Mr. George,	Mr. Shrimski,
Mr. Gisborne,	Mr. Speight,
Sir G. Grey,	Mr. Stewart,
Mr. Hamlin,	Mr. Thomson,
Mr. Hutchison,	Colonel Trimble.
Mr. Lundon,	
Mr. Macandrew,	<i>Tellers.</i>
Mr. Moss,	Mr. Ballance,
Mr. Pyke,	Mr. Montgomery.

NOES.

Mr. Bain,	Mr. Murray,
Mr. Beetham,	Mr. Oliver,
Mr. Bowen,	Mr. Pitt,
Mr. Brandon,	Mr. Richardson,
Mr. Bryce,	Mr. Rolleston,
Captain Colbeck,	Mr. Saunders,
Mr. Gibbs,	Mr. Stevens,
Mr. Hall,	Mr. Swanson,
Mr. Johnston,	Mr. Wakefield,

Mr. Kelly,
Captain Kenny,
Mr. Levin,
Mr. Mason,
Mr. Masters,
Mr. McLean,

Dr. Wallis,
Major Willis,
Mr. Wright.
Tellers.
Mr. Hursthouse,
Mr. Sutton.

PAIRS.

For.
Mr. Allwright,
Mr. Andrews,
Mr. Brown,
Mr. Dick,
Mr. Finn,
Mr. J. B. Fisher,
Major Harris,
Mr. Hislop,
Mr. Ireland,
Mr. McDonald,
Mr. Reeves,
Mr. Sheehan,
Mr. Tole,
Mr. Turnbull.

Against.
Mr. McCaughan,
Mr. Studholme,
Captain Russell,
Mr. Acton Adams,
Mr. H. Hirst,
Mr. Richmond,
Mr. Whyte,
Mr. Ormond,
Mr. Fulton,
Mr. Moorhouse,
Mr. W. J. Hurst,
Mr. Whitaker,
Major Atkinson,
Mr. Driver.

The amendment was consequently negatived.

Mr. PYKE moved, That the word "person" be struck out, with the view of inserting the word "man" in lieu thereof.

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	31

Majority against...	...	...	...	9
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AYES.

Mr. Bain,
Mr. Ballance,
Mr. Beetham,
Mr. De Lautour,
Mr. Hall,
Mr. Hislop,
Mr. Hursthouse,
Mr. Johnston,
Mr. London,
Mr. Macandrew,
Mr. Montgomery,
Mr. Murray,

Mr. Oliver,
Mr. Pitt,
Mr. Saunders,
Mr. Shrimski,
Colonel Trimble,
Mr. Wakefield,
Major Willis,
Mr. Wright.

Tellers.

Mr. Speight,
Dr. Wallis.

NOES.

Mr. Allwright,
Mr. Andrews,
Mr. Barron,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Captain Colbeck,
Mr. Dick,
Mr. J. T. Fisher,
Mr. George,
Mr. Gibbs,
Mr. Gisborne,
Sir G. Grey,
Mr. Hamlin,
Mr. Kelly,
Captain Kenny,

Mr. Levin,
Mr. Mason,
Mr. Masters,
Mr. McLean,
Mr. Reid,
Mr. Richardson,
Mr. Rolleston,
Mr. Shephard,
Mr. Stevens,
Mr. Stewart,
Mr. Sutton,
Mr. Swanson,
Mr. Thomson.

Tellers.

Mr. Pyke,
Mr. Seddon.

The amendment was consequently agreed to.

Mr. Montgomery

Question put, "That subsection (1), clause 2, stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	32
Noes	...	...	...	...	20

Majority for	...	...	...	12
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AYES.

Mr. Bain,
Mr. Beetham,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Captain Colbeck,
Mr. Dick,
Mr. Gibbs,
Mr. Gisborne,
Mr. Hall,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kelly,
Captain Kenny,
Mr. Levin,
Mr. Mason,
Mr. McLean,

Mr. Oliver,
Mr. Richardson,
Mr. Rolleston,
Mr. Saunders,
Mr. Stevens,
Mr. Swanson,
Mr. Tainui,
Mr. Thomson,
Mr. Tomoana,
Mr. Wakefield,
Dr. Wallis,
Major Willis,
Mr. Wright.

Tellers.

Mr. Pitt,
Mr. Sutton.

NOES.

Mr. Ballance,
Mr. Barron,
Mr. De Lautour,
Mr. J. T. Fisher,
Sir G. Grey,
Mr. Hutchison,
Mr. London,
Mr. Macandrew,
Mr. Montgomery,
Mr. Moss,
Mr. Seddon,

Mr. Shephard,
Mr. Shrimski,
Mr. Speight,
Mr. Stewart,
Mr. Tawhai,
Major Te Wheoro,
Colonel Trimble.

Tellers.

Mr. George,
Mr. Murray.

PAIRS.

For.
Mr. Acton Adams,
Major Atkinson,
Mr. Driver,
Mr. Fulton,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Masters,
Mr. McCaughan,
Mr. Moorhouse,
Mr. Ormond,
Mr. Richmond,
Captain Russell,
Mr. Studholme,
Mr. Whitaker,
Mr. Whyte.

Against.
Mr. Dick,
Mr. Tole,
Mr. Turnbull,
Mr. Ireland,
Mr. Finn,
Mr. Reeves,
Mr. Reid,
Mr. Allwright,
Mr. McDonald,
Mr. Hislop,
Mr. J. B. Fisher,
Mr. Brown,
Mr. Andrews,
Mr. Sheehan,
Major Harris.

Bill reported, with amendments, and read a third time.

REGISTRATION OF ELECTORS BILL.

This Bill was considered in Committee.

Clause 6.—Registration of electors.

Mr. SEDDON proposed, That at the end of the first paragraph the following words be added: "or were the holders of a miner's right issued previous to the thirty-first day of December, one

thousand eight hundred and seventy-eight, or a renewed miner's right issued since that date."

Question put, "That the words proposed to be added be so added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	14
Noes	...	...	...	...	29
Majority against	...	...	...	...	15

AYES.

Mr. Barron,
Captain Colbeck,
Mr. George,
Mr. Gisborne,
Mr. Hamlin,
Mr. Moss,
Mr. Shephard,
Mr. Shrimski,

Mr. Speight,
Mr. Swanson,
Mr. Thomson,
Mr. Tole.

Tellers.

Mr. Hislop,
Mr. Seddon.

NOES.

Mr. Allwright,
Mr. Andrews,
Mr. Ballance,
Mr. Beetham,
Mr. Bowen,
Mr. Dick,
Mr. J. T. Fisher,
Mr. Hall,
Mr. Hutchison,
Mr. Ireland,
Mr. Johnston,
Mr. London,
Mr. McLean,
Mr. Montgomery,
Mr. Murray,

Mr. Oliver,
Mr. Pitt,
Mr. Rolleston,
Mr. Saunders,
Mr. Sutton,
Mr. Tainui,
Mr. Tawhai,
Colonel Trimble,
Mr. Turnbull,
Mr. Wakefield,
Major Willis,
Mr. Wright.
Tellers.
Mr. Bain,
Mr. Hursthouse.

The amendment was consequently negatived.

Mr. MURRAY moved, That the following words be added to the clause: "Provided further that no person shall be entitled to have his name placed upon more than two rolls within any provincial district."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	19
Majority against	...	...	...	...	2

AYES.

Mr. Barron,
Mr. Dick,
Mr. J. T. Fisher,
Mr. George,
Mr. Gisborne,
Mr. Hutchison,
Mr. Montgomery,
Mr. Saunders,
Mr. Seddon,

Mr. Shephard,
Mr. Speight,
Mr. Stewart,
Mr. Tainui,
Mr. Tawhai,
Mr. Thomson.
Tellers.
Mr. Murray,
Mr. Shrimski.

NOES.

Mr. Bain,
Mr. Ballance,
Mr. Beetham,
Mr. Bowen,
Captain Colbeck,

Mr. Rolleston,
Mr. Stevens,
Mr. Sutton,
Mr. Swanson,
Colonel Trimble,

Mr. Hall,
Mr. Johnston,
Mr. Oliver,
Mr. Pitt,
Mr. Richardson,

Major Willis,
Mr. Wright.
Tellers.
Mr. Hursthouse,
Mr. McLean.

The amendment was consequently negatived.
Progress was reported, and leave given to sit again.

The House adjourned at twenty minutes to two o'clock a.m.

HOUSE OF REPRESENTATIVES.

Monday, 17th November, 1879.

Imprest Supply Bill (No. 4)—Public Works Contracts—Financial Statement.

Mr. SPEAKER took the chair at half-past seven o'clock.

PRAYERS.

IMPREST SUPPLY BILL (No. 4).

This Bill was read a first, a second, and a third time.

PUBLIC WORKS CONTRACTS.

Mr. MACANDREW wished to call attention to a matter upon which he felt somewhat aggrieved. On the 16th October, when the Colonial Treasurer made his last Financial Statement, it was alleged that contracts to the extent of over two millions had been entered into by the Public Works Department, all payable before the 30th June next. He (Mr. Macandrew) was somewhat startled at that, and he requested that the following return should be laid on the table: "A return showing the whole of the colonial public works under the Public Works Department at present contracted for within each provincial district, the name of the contractor and date of the contract in each case, the time for completion, amount of tender, and progress-payment to date; also, the number and date of appropriation by Parliament, or other authority by virtue of which such contract or engagement has been entered into." He had repeatedly made inquiry why this return, which was promised a month ago, had not been laid on the table. If the Government desired it, he thought the thing could be produced in a couple of days. He knew that the absence of the return had caused the publication of many sensational telegrams and leading articles throughout the colony. He did not want to move any amendment, but, if the Government would give an assurance that the return would be forthcoming at once, he should be very glad.

Major ATKINSON was very sorry that the return had not been laid on the table; but the form in which the honorable gentleman moved for the return necessitated a considerable amount of correspondence all over the colony, and it had been found impossible, with the work to be done, to get the return prepared to lay on the table. It was almost ready. He did not say that there was two millions contracted for; he stated that the loan was engaged up to that amount. The

honorable gentleman would see that such was the case. He would endeavour to have the return ready to-morrow; if not, it would be laid on the table on the following day.

FINANCIAL STATEMENT.

(For all Tables and Returns referred to in this Statement, see Appendix B.-2A.)

The House went into Committee of Ways and Means.

Major ATKINSON. — Mr. Seymour. — The difficulties and dangers of the position into which we have permitted our finance to drift are admittedly so great, and the time at the disposal of the Government has been so short and so broken, that I feel confident I shall have the sympathy of honorable members when I ask the Committee for as favourable a consideration of the proposals I am about to submit as may be found compatible with careful criticism and a full discussion of their merits.

Sir, I think that all those who have given any real thought to the question of our present financial condition must have come to the conclusion that it will be impossible to surmount our monetary difficulties and escape the dangers of our position without something like a complete remodelling of our finance, both general and local, without careful administration by Ministers, and without the exercise of much thrift and self-denial on the part of all classes of the community.

The period of the session at which we have now arrived renders it impossible to properly consider the whole question of our finance this year. My unfitness for the responsible position I have the honor to hold would be at once manifest if I were to pretend to be capable, in the short time I have been in office, of maturing and submitting in detail so complete a financial policy as the Government believe to be practicable and necessary. I shall, however, Sir, endeavour to indicate clearly the general scope and direction of that policy, and to give what I hope the Committee will consider sufficiently full details of such parts of it as we think it is possible to deal with this session.

But, first, it will be necessary that I should recall to the mind of the Committee our present financial position—a position, Sir, I venture to say, unparalleled in the history of the colony, for, with abundant natural resources, with excellent credit, and with an increasing ordinary revenue—notwithstanding great commercial depression—we find ourselves reduced to such a position as to cause the gravest anxiety to all true friends of the colony, and to necessitate important measures of financial reform, involving large additional taxation.

POSITION OF THE CONSOLIDATED FUND RE-STATED.

In the speech which I had the honor to address to the House on the 14th of October last, I showed that the total expenditure within and on account of the year 1878-79 was £4,006,961; that the total receipts amounted to £3,875,137—including therein the surplus of 1877-78, amounting to £116,844, and the assets of the year 1878-79, amounting to £6,695, realized since the 30th

Major Atkinson

June, 1879; and that the transactions of the year ended by leaving a deficit of £131,824, notwithstanding the fact I have just mentioned, that we began it with a surplus of £116,844. I showed that the deficit of £131,824 would have been £50,000 less had the land-tax for the half-year been collected within the year. But I did not mention, as perhaps I ought, that the bills taken on account of the sale of the old Supreme Court site and the reclaimed land, in Wellington, and amounting to £82,524 8s. 4d., were included in last year's revenue account. Of this amount £33,114 15s. 8d. has been paid, and £49,409 12s. 8d. remains still outstanding. I found these bills credited to revenue in the Treasury accounts, and did not, therefore, disturb the arrangement, although I am clearly of opinion that they should not have been credited as if the amount had been received in cash. Of course, but for this mode of treating these transactions last year's deficit would have been £214,348, instead of £131,824.

This, then, was my starting-point for the current year—a deficit of £131,824, to which I added the estimated expenditure for the year 1879-80, amounting to £3,974,034, taken from the estimates left in the Treasury by the late Government, and obtained £4,105,858 as the year's estimated expenditure. From this amount I deducted the estimated revenue derivable from our present sources of income, amounting to £3,193,900, and arrived at a total estimated deficit of £911,958, to be provided for in some way this year.

ESTIMATED EXPENDITURE AND INCOME OF THE YEAR 1879-80 REVISED.

Sir, since I last addressed you upon this subject the Government have gone carefully through the estimates of expenditure, as left by our predecessors. These were necessarily imperfect, no provision having been made for several necessary services; and the estimates, as now presented, show an increase of £39,044, the total amount being £4,013,078, instead of £3,974,034. The total of these estimates is larger by £6,117 than the actual expenditure of the previous year; but it must be remembered that they include provision for interest on the new loan and deficiency bills to the extent of £118,000, as well as the expenses attending the second meeting of Parliament within the year. We hope, moreover, by careful administration, to be able, after further experience, to effect considerable reductions, but upon this point it is impossible to do more than promise that we will use our best endeavours to confine the expenditure within the narrowest limits consistent with efficiency in the public service. We shall also, during the recess, carefully examine into the present organization of the Civil Service, and see how far, by the combination of necessary offices and the abolition of unnecessary ones, the expenditure can be further reduced next year. Competent and well-paid officers are absolutely essential to good government, while a large staff of underpaid Civil servants is not only costly, but is in its very nature fatal to efficient administration.

The estimate of revenue has also been carefully reconsidered, but, with the advantage of four months' actual collections to guide me, I am unable, I regret to say, to increase the amount estimated. It is possible that the Land Fund may be under-estimated; but I do not see any reason to expect an appreciable increase in land sales until a fall takes place in the price of money, and this cannot be hoped for until a good harvest has been successfully housed.

The problem, therefore, for solution is, How is this large estimated deficit, amounting, after correction, to £951,002, to be provided for this year, and what action must be taken to equalize our income and expenditure in future?—for, although it is somewhat unusual, I am compelled by our peculiar circumstances to look beyond the present year, and in some measure to take counsel for the next. But before we can answer these questions satisfactorily we must examine the nature of the deficit, and ascertain whether it is of a temporary or permanent character, because our mode of dealing with it will greatly depend upon the result of that examination.

Now, to enable the Committee to come to a decision upon this important point, it will be necessary to examine and compare the receipts of the Consolidated Fund for some time past. I propose to do so for the last three years, and under three heads—Taxation, Services Rendered, and Land Fund. There was raised by Taxation, in the financial year 1876-77, £1,319,643; in the year 1877-78, £1,424,029, being an increase of £104,386 over the preceding year; in the year 1878-79, £1,505,237, being an increase of £81,208 over the preceding year, and of £185,594 over the year 1876-77; and this year the estimated amount of receipts is £1,512,300, being about £7,000 only more than last year, though largely exceeding the receipts of the years 1876-77 and 1877-78 respectively. For Services Rendered (omitting, for reasons I will presently give, receipts from railways), there was received, for the year 1876-77, £318,250; for the year 1877-78, £366,367; for the year 1878-79, £421,377; and this year the estimated amount is £401,600. Here also, as in the case of taxation, it will be observed that the increase has been marked and steady during the three years named; and that, while the estimate of the total receipts for this year, in respect of services rendered, is about £20,000 less than the actual receipts of last year, an increase of amount in some of the items of receipt is anticipated.

I will not trouble the Committee with remarks upon the separate items included under the two heads of Taxation and Services Rendered, but I may say that an examination of Table A, which will be appended to this Statement when published, will show that in almost every case there has been a steady increase from year to year.

As I have said, I have omitted the receipts from railways. My reason for so doing is, that our railway system was too incomplete in 1876-77 to compare fairly with the receipts in 1878-79. But, according to the comparative statement of receipts and expenditure on the railways, made by the late Minister for Public Works in August

last, the figures I have given under the head of Services Rendered do not show as large an increase as I might fairly claim. It is not, however, desirable in any way to overstate the case.

I have not thought it necessary to take the receipts of more than three years for comparison. Had I done so, however, the only deduction to be drawn from a careful consideration of the figures would certainly not have weakened my conclusions. On the contrary, the further back we go the stronger would my case appear.

It may then, I think, be fairly stated that our receipts from taxation are steadily increasing, as also our receipts from services rendered, and that the slight check which the revenue derivable from these sources has met with during the current year is temporary only, and is fully accounted for by the general depression of trade throughout the world.

This fact should, I submit, give us confidence in the future, as showing indisputably that our population is hardworking and prosperous.

In the financial year 1876-77 we received from land sales £870,819; pastoral rents, £135,036: total, £1,005,855. In the year 1877-78: Land sales, £1,440,824; pastoral rents, £145,738: total, £1,586,562. Last year: Land sales, £737,694; pastoral rents, £132,035: total, £869,729. And the estimated revenue for this year is, for land sales, £248,000; pastoral rents, £132,000: total, £380,000.

It will be seen that the land sales last year only reached £737,694, having fallen short of the estimate by £384,304, and that this year they are estimated to produce only £248,000. Here, then, we find the cause of our deficit—the falling-off in the Crown land sales. If, last year, they had reached the estimate, and could be relied upon this year to yield £1,150,000 (this amount being about the average receipts for the last two preceding years), we should have this year a small surplus, instead of an estimated deficit of £951,002: in other words, under our present system, we require from land sales, exclusive of the cost of survey and administration, something like £900,000 per annum in aid of ordinary revenue.

It may be, I think, fairly anticipated that, with the return of prosperity, the annual sales will again be in excess of the estimates for the current year.

With these facts, then, before us, Sir, we are in a position to affirm that, should we continue to treat land-sale receipts as income, and were we content to sacrifice the future settlement of the country for the sake of a temporary adjustment of finance, the deficit to which I have drawn attention would not, with our large area of unsold lands, be for some years to come of a permanent nature. So long, however, as we do so treat these receipts, we cannot disguise from ourselves that in years of depression we shall be subject to large deficits, which it will be difficult to provide for without adding from time to time to our permanent indebtedness. In other words, we shall have an uncertain, and therefore unsatisfactory, finance, and shall be continuing the objectionable practice of relying upon what is really capital for ordinary expenditure, instead of pro-

viding for such expenditure, as ought to be done, out of our legitimate income. If, on the other hand, we should determine that the receipts from land sales are not income, and shall not in future be so treated, then it is clear that there is a permanent deficit of from £800,000 to £900,000 a year upon our present expenditure and income. So much, then, Sir, for the nature of the deficiency with which we have to deal. Before, however, I answer the question as to how the Government propose to meet the estimated deficiency of this year, and to obviate deficiencies in future, it will be convenient that I should call the attention of the Committee to the state of our public debt and the condition of the Public Works Account.

PUBLIC DEBT.

Our public debt on the 30th June last amounted to £23,222,311, treating the guaranteed debentures as practically issued, and including Treasury bills outstanding, of which £442,000 mature on the 1st March next in London, and will have to be re-issued. The annual charge for interest and sinking fund in respect of this debt was £1,232,119. Since then we have issued deficiency bills to the amount of £600,000; and, when the loan of £5,000,000 is raised, our total gross debt will amount to £28,822,311; or, deducting the accumulated sinking funds, our net public debt will be £27,113,304, subject to an annual charge of about £1,400,000 for interest, and £116,176 for sinking fund, making together £1,516,176—an annual burden requiring our most watchful attention, and one which can only be borne if our taxation is properly adjusted, and our financial affairs managed with discretion. It may be gratifying to the Committee to learn—though the amount is small—that last year we redeemed, out of accrued sinking fund, debentures amounting to £71,000: of these, £58,000 represented the whole of the outstanding debentures issued under “The Wellington Debts Act Amendment Act, 1876,” and £13,000 represented a portion of those issued under “The North Otago District Public Works Loan Act, 1872.”

PUBLIC WORKS FUND.

I showed in my speech of the 14th October last that we began the year ending 30th June, 1879, with a credit balance of £2,056,940, including advances outstanding amounting to £156,260, and this year with a nominal credit balance of £506,205, but that of this sum £298,543 consisted of advances outstanding, which, as honorable members are aware, are, in fact, moneys spent but not yet brought to account, so that we really began the year with only £207,662. This includes, as cash on the credit side, the whole of the loans (including the guaranteed debentures) authorized to date except the £5,000,000 loan. I further showed that we had spent in the first quarter of this year—that is, up to the 30th September last—some £504,733 of the £5,000,000 loan, and that we had entered into contracts and engagements which would necessitate our finding £733,553 more by the 31st December next, and £921,818 between that date and 30th June, 1880—in other words, that the late Government had in various ways anticipated the new loan to the

extent of £2,220,104, including £140,000 for contingent defence, and £200,000 for purchase of Native lands, but exclusive of cost of raising the loan; and that in addition to this large sum, which is payable by the 30th June next, there will be liabilities outstanding at that date of a further sum of £957,177 for land purchase, and £128,815 for contracts entered into before the present Government took office. These figures were disputed at the time I spoke by the late Minister for Public Works; but I regret to say that, after a most careful re-examination of the whole subject, I find that the figures I then gave were strictly accurate. My honorable colleague the Minister for Public Works, in consultation with the Engineers-in-Chief, has been endeavouring to arrange an extension of the period during which these payments will have to be made, and he will shortly inform this House of his success in that direction; but he warns me that much practical relief is not likely to follow his exertions. The Committee will therefore see that, unless we can abandon some of our land-purchase bargains—for I fear none of the other engagements can be got rid of—the new loan is anticipated to the extent of about £3,300,000, without including the sum of £154,791 payable to Canterbury and Otago on account of impounded land revenue, or making any provision for the redemption of the guaranteed debentures, and also without taking into account the cost of raising the loan. When we remember that the public works scheme of 1878 was to take five years to complete, that the expenditure from loan was only to be at the rate of some £900,000 a year, and that, by a special provision of “The Loan Act, 1879,” no money raised under it was to be spent without appropriation of Parliament, we shall, I fear, have to come to the conclusion that Parliament has not been treated with frankness in this matter, and that its authority has been disregarded. The Government, Sir, have reason to believe that not more than £3,000,000 of the £5,000,000 loan can be floated this year, that it will be twelve months before we can place the other £2,000,000, and that we cannot go upon the London market for two years afterwards. These facts will render the exercise of the utmost prudence necessary in the expenditure of the balance of the loan yet available for appropriation by Parliament. This question will be fully treated by my honorable colleague the Minister for Public Works, when he makes his Public Works Statement. I need only say here that I hope honorable members on both sides of the House will insist upon all expenditure being confined to necessary and profitable works, and that the expenditure of the balance of the loan shall be extended over a period of not less than three years. Sir, as I have many times pointed out, our only safety lies in limiting our expenditure from loan and upon public works to a reasonable annual sum till our whole railway system is completed; and certainly, in my judgment, £1,600,000 a year is not a reasonable sum; it is, in fact, about double what we ought to spend, or, indeed, possibly can spend, considering our revenue, population, and liabilities.

Major Atkinson

PROPOSALS FOR EQUALIZING EXPENDITURE AND INCOME IN FUTURE.

And this, Sir, brings me to that part of my Statement for which honorable members are no doubt looking with some impatience. I hope, however, I have succeeded so far in fixing in their minds what our real financial position is, as upon that hangs all that I am now about to propose.

The first point for decision is, Are the receipts from land sales to be retained in the Consolidated Fund, and spent as ordinary revenue? Sir, the Government think that from the falling-off in the land sales there is a very important lesson to be learnt, and that is, that the system of finance which we have been pursuing since the Land Fund was generalized in 1877—namely, that of relying upon the receipts from land sales as one of the chief items of our consolidated revenue—is thoroughly unsound in principle, and should, Sir, be abandoned at the earliest possible date, that date being not later than the end of March next. The receipts from land sales should, in the opinion of the Government, be chargeable with the expenses of the administration and survey of the land, and the balance scrupulously applied to public works, local and general, and to immigration.

By this means it is clear that a real and not an imaginary fund would be created to aid in carrying on our public works, local and general; and we should get rid of that vicious habit into which we have fallen of late, of treating as revenue that which is really capital, and spending it upon the ordinary services of the State. It will be generally admitted, when the large amount of our public debt is remembered, and the absolute necessity of continuing to borrow moderately until the public works are complete is taken into account, that it is our duty not only to place our Consolidated Fund upon a sound footing, but also to show the London capitalist unmistakably that we are not availing ourselves of the expenditure of borrowed money to sell our public lands, and at the same time applying the proceeds to the maintenance of services properly chargeable on annual income. I submit, Sir, that we have no more effective means of showing the soundness of our financial position, and of the resources of the colony, than by resolutely setting aside the receipts from our land sales for public works and immigration. The best mode of dealing with this fund, should the House determine to create it, I do not now propose to consider—this will be one of the questions for decision next session—a great work will have been accomplished if it should be determined to create the fund.

Sir, the Government entirely disapprove of sacrificing the public estate to make up either a temporary or a permanent deficit in the revenue, or of selling land for any other purpose than for settlement and occupation. Proceeding, therefore, upon the assumption that land-sales receipts are no longer to form part of the ordinary revenue or income of the colony, I eliminate them, retaining, however, the pastoral rents which are really revenue, and find that the estimated revenue for the year is £2,945,900. Deducting from the total estimated expenditure of £4,013,078 the

services included therein, amounting to £247,509, which are properly chargeable against the revenue from land sales—namely, the cost of administration and surveys, and the 20 per cent. of receipts, &c., payable to local bodies—we get £3,765,569 as the estimated expenditure of the year; and, if from the estimated expenditure we take the estimated revenue, we get £819,669 as the deficit for which we have to provide for the future.

I will, Sir, now, with the permission of the Committee, deal, in the first place, with the deficit of £819,669, leaving for the present the question of the deficiency to be provided for this year. Some exception may be taken to calling this a permanent deficit, as it will be said, and said truly, that our receipts from taxation, services rendered, and railways are increasing yearly, and this increase, no doubt, will afford relief to some extent. But I have thought it prudent to put against this the increased interest we shall have to pay upon the new loan and upon fresh borrowing, which must certainly occur, and also the increase upon our ordinary expenditure which is sure to take place. There is no reason to suppose, judging from present circumstances, that the expenditure or revenue will differ materially next year from that above stated; I shall therefore take, as sufficiently accurate for all practical purposes, the above estimate of expenditure and revenue, to show the probable effect of the financial policy the Government are proposing for adoption.

I will first ask the Committee to turn for a moment to the table of the estimated expenditure (Table E), which, upon examination, will be seen to contain one very large item of £275,620 for subsidies to local bodies. Many honorable members think this contribution in aid of rates wrong in principle, and many more think that, considering our present financial condition, payment of it should cease at the end of the year. I am one of those who think it fair and reasonable that the State, as the State, should contribute towards the cost of keeping open and improving the means of communication throughout the country, and that it is altogether a mistake to suppose that by striking this item out of the estimates the people of the colony will be relieved to that extent from taxation. To all those who have given any attention to local subjects it is well known that an amount equal to this large sum must be raised for local works; striking this item out of the estimates will therefore be no real relief to the country at large, nor will it leave more money in the pockets of the settlers; but the question as to the fairest and easiest means by which the necessary amount can be raised is no doubt open to discussion, and is well worthy of the serious attention of this House. The Government, however, have come to the conclusion, after careful consideration, that a better means than the present of raising this money can be devised, and they will therefore recommend that the subsidies next year should be discontinued. Should the House determine to retain them, taxation will have to be proportionately increased. The important question of local finance is far too large to go into this session; therefore I will say no more upon the subject

now, except, Sir, that the Government fully recognize the fact that it is their duty to submit to this House, upon its first meeting next session, a scheme which shall place local finance on a satisfactory and something like a permanent basis; and, by satisfactory, the Government understand placing local bodies in such a position as will enable them to obtain as far as is possible sufficient funds for all necessary works, while drawing a broad and distinct line between local and general finance: and such a scheme the Government will endeavour to mature before the next meeting of Parliament.

Honorable members will bear in mind that I am now speaking of what I may call the permanent deficit—that is, I am speaking of the probable position we should find ourselves in at the end of next year if the receipts from land sales and the expenditure upon land are eliminated from both sides of the account—and am not now making provision to meet the estimated deficiency of the current year. I therefore deduct the subsidies, £275,620, from the deficit of £819,669 already mentioned, and find that there remains to be provided for £544,049; and this, Sir, the Government propose to meet by the imposition of a property-tax, the increase of the Customs and stamp duties, and the release of sinking funds and interest by bringing the Consolidated Stock Act into operation. That our difficulties might be tidied over much more pleasantly for a few years by the sale of land to make good the deficiency of our ordinary revenue—a course not altogether unknown in some parts of the colony in years gone by—is true; but, Sir, the present Government and all the members of it are, and always have been, opposed to such a policy, and I feel confident that we shall receive the hearty support of the House and of the country in giving effect to our proposals to sell land only for settlement, and to make our ordinary revenue equal our ordinary expenditure by the imposition of the necessary taxation after all possible reductions have been made in the expenditure.

PROPERTY-TAX.

Sir, no taxation is pleasant, and a new tax is especially unpalatable—the more so if direct in its form; but it will, I think, be generally admitted that we have now reached a stage at which a property-tax in some shape is unavoidable. The principle of a land-tax has already been affirmed by this House, and there is much to be said for the policy of specially taxing unused land, held for speculative purposes. If it were practicable, I should certainly advocate the special taxation of unused land, but in my opinion it is not practicable. And, taking the ordinary holdings of improved land, I am unable to see upon what principle of justice or expediency it is held that this is the only form of property which should be taxed. Why, I wish to know, should the farm of the hard-working pioneer settler or the frontage of the struggling city tradesman be taxed, while bank shares, mortgages, and other such property are allowed to go free? I shall, therefore, ask the House to impose a property-tax upon the American model, excluding incomes,

Major Atkinson

and thereby to affirm the principle that realized wealth, in whatever form, shall bear its fair share of the burdens of the State. The Government, after careful consideration, have come to the conclusion that an income-tax is not applicable to the existing circumstances of the colony. It is inquisitorial, and unavoidably open to great inequalities. The machinery, too, for levying such a tax must be elaborate and expensive, and far out of proportion to the revenue to be derived from it. For these reasons and many others with which I will not now trouble the Committee, but which can be fully discussed upon the second reading of the Property-Tax Bill, the Government have, as I have said, decided not to include incomes in the proposed tax.

Sir, the Government will ask Parliament to merge the land-tax in the property-tax which we intend to introduce, thus including land in the same category as all other property, making it equally but not specially liable to general taxation. Parliament has already approved of this principle by directing, in the case of intestate estates, that real shall be treated as personal property for the purposes of succession, and for taxation on succession. It would hardly be convenient that I should upon the present occasion discuss the policy of a land-tax; but the Committee will, perhaps, permit me to say a few words upon the subject, as it is one of great importance. The land-tax was, I presume, imposed either—first, for the purpose of revenue; second, to check the growth of large landed estates; third, to prevent land being held for speculative purposes; or, fourth, for all these reasons together. With regard to the first, I would say that, as we have some twenty-six millions of acres of land for sale, some five millions of which are classed as agricultural land, and as the one object which we all desire most is the settlement of people upon the land, it is surely unwise, and will tend to defeat the object we have in view, if we impose special burdens for revenue purposes upon capital invested in land. I would ask, upon the second and third reasons, what justice or wisdom is there in specially taxing that class whose growth is essential to the advancement of the colony, in order to prevent a probable abuse in the acquisition of large quantities of land, or unfair profits, by a few individuals? And, in reply to the fourth reason, I would say such a combination is unjustifiable when it results in the special taxation of a class possessing no privileges.

Sir, I entirely disapprove of land being held for speculative purposes. I entirely disapprove of land being held in large blocks, to the injury of settlement. I desire to see the country in the possession of a population cultivating their own freeholds; and the legislation proposed by the Government is conceived in this spirit. That there are some large estates which I should be glad to see occupied by small freeholders is true; but, Sir, I have satisfied myself that the tendency is towards disintegration rather than accumulation of large properties, and that speculation in land to an injurious extent does not exist in such a form as to be removable by legislation, and, most

certainly, will not be remedied by a land-tax on all land. Sir, it is a very significant fact that in hardly any country in the world is the proportion of properties to the population so great as in New Zealand. I may state, for instance, that in France, which is usually cited as a favourable instance of the subdivision of land, the proportion is 1 property to 7.1 people; and in Belgium, where land is probably more subdivided than in any other European country, the proportion is 1 property to 4.71 people; while in New Zealand, there is 1 property to 5 people; and when it is remembered that 90,000 persons, out of a total population of 414,000, have been brought out as assisted or free immigrants within the last few years, our case appears much stronger. This, Sir, is no reason for relaxing our endeavours to improve our land laws in the direction of encouraging settlement, but it should, I think, reassure those who think that the tendency of past legislation has been to favour the acquisition of large properties. I say, Sir, it is a great satisfaction to know that so large a proportion of our population has a direct interest in the soil of the country, and to this fact may in a great measure be attributed, I think, the rapid advancement of the colony, and the general prosperity of the people.

The principle of the American property-tax is to tax everything a man possesses, including his income, after deducting all his outstanding liabilities.

The proposal of the Government is to tax all property, whether real or personal, that a man possesses, after deducting in each case his just debts, and also a sum of £300 as exempt from taxation; but, as I have said before, to exclude all incomes.

It is very difficult, with the data at my command, to estimate accurately what such a tax will produce. We know, however, that the valuation under the Land-Tax Act gives £99,500,000 as the improved value of real property. It is estimated that the total personal property owned in the colony is not less than £18,700,000, making a gross total of taxable property of £118,200,000. Deducting, from this, £5,000,000 on account of the £300 exemptions, we get £113,200,000 as the net taxable amount as far as it can now be estimated. I give this estimate with some diffidence, but I think I have rather under- than over-stated the sum which will be subject to taxation. Taking, therefore, £113,200,000 as the sum liable to taxation, this, at one penny in the pound, the amount the Government propose to ask for, will give £470,000 as the product of the property-tax.

THE TARIFF.

I have said, Sir, that the Government propose to raise additional Customs duties. With respect to the encouragement of local industries, I have had many communications with gentlemen interested in the promotion of local manufactures, and a Committee of this House has still the subject under its consideration; but the time at the disposal of the Government has been quite inadequate to deal in a comprehensive manner with so important a subject. The Government, therefore, propose to appoint a Royal Commission

during the recess to examine and report upon the whole subject of the best mode of fostering and promoting local industries. In the meantime the Government propose to admit many articles duty-free, so as to assist local manufactures as much as possible.

But, Sir, before making any remarks with respect to the articles upon which new or increased duty is to be charged, it will be better to say a few words upon a question which has been much discussed—the duties upon tea and sugar. Upon these articles we do not propose to reimpose the duties remitted last year, but it may be necessary to reimpose them next year upon a general revision of taxation.

The articles upon which we propose to increase or impose duties are—Almonds and nuts, chaff, corke, dried fruits, fresh fruit other than oranges and lemons, window-glass, grain and flour, malt, split peas, hops, iron fencing, tanks, matches and vestas, preserved milk, nails, perfumery, patent medicines, timber, salt, stearine, spirits, tobacco and cigars, wine, and all goods at present charged with *ad valorem* duty.

The particulars of the duties proposed to be levied on these articles will be found in Table G appended. The total amount they are estimated to produce is about £300,000.

We propose, as will be seen, to reimpose the duties on timber and grain. We think experience has shown that their repeal has very injuriously affected the local shipping trade, and also the timber industry, which was a growing and important one, and which we are certainly not justified in seriously crippling without some compensating advantage to the State, but which we altogether fail to see has followed the repeal of these duties.

We propose to increase the duties on spirits and on tobacco.

With regard to spirits, we shall ask for an increased duty of 2s. per gallon, granting at the same time an allowance for such as are under proof, the same as is now charged upon spirits over proof. This mode of levying the duty is, I believe, the custom in almost every other country. To make up the loss to the revenue which will result from this allowance for spirits under proof will require an addition of at least 6d. a gallon, so that the proposed increase is really only 1s. 6d. per gallon, or, in the whole, £47,000; giving a total on spirits, wine, &c., of £56,000.

We propose to increase the tobacco duty by 1s. per pound, and to authorize its manufacture in bond, granting as an encouragement to its local manufacture a bonus, for the next two years only, of 6d. in the pound upon the quantity of tobacco manufactured and duty paid in the colony. The increase on this item is estimated at £50,000.

From spirits, wines, &c., and tobacco, including cigars and snuff, I hope, then, to obtain £106,000. I am aware that in increasing these duties some risk is run of inducing illicit distillation and smuggling—there is always, as every one is aware, a danger and possibility of this when duties are increased—and the Government are by no means certain that in consequence of the increased

duties the revenue may not be defrauded in the manner mentioned; but they do not think this will occur to any large extent; and they believe, looking at our requirements, that upon no articles included in the tariff would Parliament approve of increased duties so readily as upon spirits and tobacco. Nothing but our own experience can tell us when we have reached the maximum duty which these articles will bear without loss to the revenue.

But, Sir, before proceeding to state what further burdens it is necessary to impose, it will be convenient here to state what relief can be afforded in the way of remission of duties. It is proposed to remit the duties on carriage-makers' and saddlers' ironmongery, carriage-makers' leather, buggy-shafts, bent carriage-timber, hickory, hatters' materials, fine wire for brush-making, sheet zinc, plain galvanized sheet-iron, sulphate of soda, almonds—such as are used in confectionery—phosphorus, and oil of rhodium. These remissions amount to £15,000; and it is hoped that, with these alterations, and by the aid of further reductions which are in contemplation, local industries will be placed in a more advantageous position than at present.

The Government, also, Sir, propose to abolish all light dues for vessels employed in the coasting trade. This, it is also hoped, will give material assistance to that important branch of our industries, the local shipping trade. I hope, Sir, the time is not far distant when we shall be able to extend remissions still further in this direction. The loss to the revenue by this remission will be £25,000.

STAMP DUTIES.

These might be increased in several cases, but, looking at the fact that these duties are levied mainly on transfers of property, and that it is proposed to put a special tax on property, the Government have determined not to ask for any increase of the stamp duties except those upon successions. It is generally admitted that, on the occasion of a succession to large property, the State may demand without unfairness to any one a contribution having some relation to the amount of the estate. The principle of a graduated tax upon successions has been accepted as right; and the Government propose, therefore, to revise the existing duties in the direction of making large accumulations contribute to the public exchequer in greater proportion than they have hitherto done. It is estimated that these additional duties will produce £16,000 at present, and will be constantly increasing.

CONSOLIDATED STOCK.

It is, Sir, a matter for great regret, looking at our financial position, that no real effort has been made to bring the Consolidated Stock Act of 1877 into practical operation. We are now paying £116,176 per annum as sinking fund proper on our loans; we shall also pay, this year, interest amounting to £43,165 on bonds of the Consolidated Loan, drawn and cancelled—interest which increases in amount every year, and, being applied annually to the further redemption and cancellation of bonds, is, in reality,

Major Atkinson

sinking fund. Then we invest the accretions of the sinking funds of other loans in our own bonds, and the interest we are now paying on these latter bonds amounts to £40,041 per annum, so that in the present year we shall actually pay no less a sum than £199,382 towards the redemption of our public debt.

By this it will be seen that we are on the one hand repaying our debt at the rate of nearly £200,000 per annum out of revenue, while on the other hand we are borrowing largely to complete our railway system. This, upon the face of it, does not appear a very wise arrangement, and I need hardly say that the Government will lose no time in giving effect to the will of Parliament in this matter, expressed by Act now more than two years ago. Sir, the operation of consolidation is necessarily a work of time; but I trust that, under the management of persons desirous of giving effect to the Act of 1877, considerable relief will be afforded to our revenue—if not next year, at any rate the year after. The annual amount of sinking fund and interest thereon to be released by consolidation being dependent on the success which may attend the operations of the Agents appointed under the Act, we cannot rely on obtaining much, if any, relief from this source during the current year; I must, however, ask the Committee to bear it in mind as a certain means of diminishing our expenditure in the near future, and to consider whether it may not be advisable to make some temporary provision, if necessary, until this relief is obtained. With regard to the general question of the expediency of a sinking fund, I think it very unwise in us, with our railways incomplete, to attempt to maintain one, especially when it is remembered that in no case do we capitalize the interest upon these works, as is done in the case of railway companies, until the works are complete, but that the whole interest on money used upon works in course of construction, as well as that spent in completed works, is charged upon and paid out of consolidated revenue.

SUMMARY OF PROPOSALS.

Summarizing, then, my proposals, they will stand thus: To be raised by Property-tax, £470,000; by Customs, £300,000; by Stamps, £16,000—making a gross increase to the revenue of £786,000; from which, however, must be deducted the remissions stated above, amounting to £20,000, together with the land-tax, £147,300, which it is proposed to merge in the general property-tax next year, thus giving a net increase of £618,700. Honorable members will observe that I have not taken credit for any saving for interest or sinking fund which may be released by inscription of stock. We may obtain some relief from this source during next year; but the uncertainty of this is so great that it would not be prudent to calculate upon it. I hope, however, when such relief comes, we shall be enabled to considerably reduce taxation, and, as I have said before, I think we may look for this relief at an early date.

It is proposed, then, by these means to raise £618,700 additional revenue; if this be added to

the revenue from present sources, estimated to amount, exclusive of land sales, to £2,945,900, we get £3,564,600 as the total revenue for the year. The estimated expenditure I have taken as probably £3,489,949; and, if we deduct this sum from the revenue, we arrive at an estimated surplus of £74,651.

From these figures I think honorable members will see that the proposals of the Government, if they should meet with the approval of the House, will, without any reasonable doubt, equalize our expenditure and income.

HOW DEFICIENCY FOR CURRENT YEAR IS TO BE MET.

Sir, it now only remains for me to deal with the deficiency for the current year. The question of the advisability of changing the time when the financial year shall end has been raised from time to time in Parliament, but for various reasons has never yet been favourably entertained. The Government, Sir, have come to the conclusion that the change might now be effected with advantage to the public service, and with the general approval of honorable members. I shall therefore propose that the financial year shall in future end on the 31st March. The first and obvious advantage which will follow this change is that it will shorten the period during which our present estimated disparity between income and expenditure will run, and will enable us to begin a new financial year by the time our increased taxation has come fairly into force. The period of year, too, when Parliament will meet—namely, about the middle of May—will, I have reason to believe, better suit the convenience of honorable members than the time at which the House now sits. Sir, I have already said that the deficiency for the year will probably amount to £951,002; but, should the House sanction the proposed change in the financial year, our current financial period will terminate on the 31st March next, and the deficit to be immediately provided against will be proportionately diminished. I estimate that the expenditure for the nine months will be £3,110,262, and the revenue for the same period, including the receipts from the new taxation, will be £2,445,200, leaving a deficit of £665,062, to which I add the deficit of £131,824 at the close of last year, and arrive at £796,886 as the amount of deficiency to be provided for. Sir, it is now the middle of November; five months, therefore, of the financial year have practically gone, and we have already issued and absorbed deficiency bills to the amount of £260,000. It is not, in the opinion of the Government, either possible or wise to attempt, under our present circumstances, wholly to meet this deficiency by taxation. We are, I hope, about to take a new departure in finance, the proposals of the Government, if given effect to, insuring in the future a state of equilibrium between expenditure and income. But, to secure this result, taxation of a very onerous character will have to be imposed, and the Committee will, I think, agree with me in the opinion that to impose special taxation for the purpose of the current period would be impossible. The Government will therefore ask

authority to provide by loan for such deficiency as may be found to exist on the 31st March next. It will include, of course, the deficiency bills already issued. To redeem these, and to cover the balance, I shall ask the House for authority to issue Treasury bills. These latter the Government propose to have inscribed as soon as possible under the authority of "The Consolidated Stock Act, 1877." I make this proposition with great regret, but I think it will be admitted on all sides that it is impossible to do more this year, and that to hamper ourselves continuously with a floating debt of that amount would be impolitic and unwise.

I have said, Sir, that, by ending the financial year on the 31st March, it will enable the House to meet about the middle of May, which is, I think, the earliest month that will suit the general convenience of honorable members.

I should, Sir, have proposed to terminate the financial year in April, as more generally convenient; but doing this would have broken up the quarters as well as the year, thereby rendering comparisons with former years almost impossible: by retaining the quarters unbroken, comparisons can be made without much difficulty. I hope the Committee will agree with me in thinking this a sufficient reason for ending the financial year in March instead of April. Should the House agree to the proposed change, I shall ask, Sir, authority to continue the expenditure during the June quarter upon the scale of the estimates voted for this year. This seems to me a better plan than carrying on the government by means of unauthorized expenditure and Imprest Supply Bills upon estimates which have never been seen by the House.

The plan will operate in this way: The financial year ending on the 31st March, the Treasury will have plenty of time to get the estimates and Financial Statement, and the accounts of the year, in as much detail as may be desired, ready before the House meets. Immediately upon the House meeting, votes for the several classes could be taken on account, as in England, and the House would then know for what purposes the money was voted, and the proposed scale of expenditure for the year.

I shall also propose that, in future, the cash received within the year shall be the receipts of the year, and the expenditure made within the year shall be the expenditure of the year. The only objection that I know to this proposal is, that a Government may hold back payments for political purposes, and so make the expenditure appear less in one year and more in another. I should propose to obviate this by causing each department to send to the Audit Office returns showing its outstanding liabilities on the 31st March, within forty days of the end of the year, duly certified by the Under Secretary of each department; and the Audit Office should place the returns before Parliament within ten days of its opening, if it opened after the 10th day of May, and, if before that time, then within fifty days from the 31st March.

Sir, my task is now nearly done. I have to

thank the Committee for the kind and patient hearing it has given me, and to say, in conclusion, that I am fully sensible of the grave responsibilities resting upon the Government and the House at the present time. The Government, Sir, have endeavoured to grasp the financial position of the colony as a whole, and our present proposals are submitted as part of a general scheme. We feel, Sir, that we should be utterly unworthy of the trust reposed in us if we had only resorted to temporary expedients at such a crisis. The time, Sir, for temporary measures has passed away. We have endeavoured to go to the root of the matter, and at once, by a resort to fresh taxation and other important reforms, to place our finance on what we believe to be a sound and enduring basis. Sir, the imposition of fresh taxation to such an extent as I have proposed to-night, and at such a time as this, can only be justified by the necessities of the case. The position is one which admits of no hesitation. We might attempt to extricate ourselves from a present difficulty by forcing the sale of land, at a price and upon terms which would involve large sacrifices in the future settlement of the colony. Both our credit and our capital would ultimately suffer by such a course, even if it were temporarily successful. On the other hand, by the adoption of our proposals for increased taxation, for placing the bulk of that taxation upon those most able to bear it, and for entering on a course of careful administration, we shall permanently strengthen the one and conserve the other. We make these proposals with a firm belief in the ample resources and rallying power of the colony, and in entire confidence that the good sense of the colonists will prefer present self-denial to any sacrifice of the permanent interests of the country. Sir, in whatever way our plans may be dealt with, this at any rate is certain: that the country will be satisfied with no temporary expedients, will submit to no makeshifts, but will insist upon our finance being placed on a well-defined, solid, and lasting foundation.

I have, Sir, now to ask the Committee to agree that the proposed additions and exemptions that I have mentioned shall take place immediately. It is the custom upon all occasions of this sort, whatever honorable gentlemen may think of the wisdom or otherwise of the proposals, that they are fully discussed whenever the Bill to give effect to them is brought down.

I move the following resolutions:—

That, in lieu of the duties of Customs now charged on the undermentioned articles, the following duties of Customs shall, on and after the eighteenth day of November, one thousand eight hundred and seventy-nine, be charged thereon on importation into New Zealand, or on being cleared from any warehouse for home consumption—namely, almonds in the shell, and nuts of all kinds, except cocoanuts, 2d. per pound; chaff, 10s. per ton; corks, bottling, 15 per cent. *ad valorem*; fruits, dried, 2d. per pound; fruits, fresh, other than oranges, lemons, bananas, and pineapples, 15 per cent. *ad valorem*; glass, crown, sheet, and common window, 2s. per 100 feet superficial; grain and pulse of every kind not

otherwise enumerated, 9d. per 100 pounds; grain, when ground or in any way manufactured, 1s. per 100 pounds; malt, 2s. per bushel; peas, split, 1s. per cwt.; hops, 6d. per pound; iron fencing-wire, staples and standards, 20s. per ton; iron, galvanized, corrugated sheets, guttering, ridging, and spouting, washers, screws, nails, and wire netting, 40s. per ton; iron tanks, 5s. each; matches of all kinds, 25 per cent. *ad valorem*; milk, preserved, 15 per cent. *ad valorem*; nails, 3s. per cwt.; perfumery and toilet preparations not otherwise enumerated, 25 per cent. *ad valorem*; proprietary medicines, commonly called patent medicines, or any medicine or preparation of which the recipe is kept secret, recommended by advertisement, bill, or label, for the relief of any disorder or ailment, 25 per cent. *ad valorem*; timber, sawn, rough, 2s. per 100 feet superficial; timber, sawn, dressed, 4s. per 100 feet superficial; shingles and laths, 2s. per thousand; palings, 2s. per hundred; posts, 8s. per hundred; rails, 4s. per hundred; salt, 20s. per ton; spirits or strong waters, not being sweetened or mixed with any article, so that the degree of strength thereof cannot be ascertained by Sykes's hydrometer, for every gallon of the strength of proof by such hydrometer, and so in proportion for any greater or less strength than the strength of proof, and for any greater or less quantity than a gallon, 14s. per proof gallon; other spirits, being sweetened or mixed so that the degree of strength aforementioned cannot be ascertained as aforesaid, 14s. per gallon; liqueurs and cordials, 14s. per gallon; perfumed spirits and Cologne water, 21s. per gallon; stearine, 1d. per pound; tobacco, 3s. 6d. per pound; cigars and cigarettes, 6s. per pound; wine other than sparkling and Australian, 5s. per gallon; all articles not otherwise enumerated, which are now chargeable with duty at 10 per cent. *ad valorem*, 15 per cent. *ad valorem*.

That the duties of Customs chargeable upon the goods, wares, and merchandise hereinafter mentioned, imported into New Zealand, shall cease and determine—namely, almonds (Barbary, bitter, and other), for confectionery; bolts and nuts; carriage-bolts and nuts, tire-bolts, shackles, and other iron fittings for carriages; morocco, roan, japanned, and enamelled leather, and tanned and dressed sealskins and goatskins; buggy shafts, bent wheel-rims, and other bent carriage-timber; hickory, unwrought; hatters' galloons and hatters' calicoes; fine iron, brass, and copper wire for use in brushmaking; phosphorus, and oil of rhodium; sulphate of soda; saddlers' ironmongery; grindery; sheet zinc; plain sheet galvanized iron.

Mr. MACANDREW.—Of course, Sir, on moving new duties I am aware it is the recognized practice that no opposition is offered at this stage, but, at the same time, it must be understood that we are not pledged to ultimately agreeing with them. That, I believe, is the practice. In agreeing to this formal resolution we do not pledge ourselves to agree to the remission of duties or the imposition of others. I do not wish to provoke any discussion at the present time, or to depart from the practice which is usually followed on occasions like the present. At the same time, I

Major Atkinson

cannot refrain from expressing my dissatisfaction at the tone and the spirit of the proposals embodied in the speech which we have just listened to. Sir, the position is anything but charming. That, of course, we are all aware of; but what I object to is that the honorable member should have attributed that position, as he has done, to the action of the late Government. He stated, Sir, that the position of affairs is very much to be attributed to the fact that large obligations have been incurred by the Public Works Department without the authority of Parliament—that is, that the authority of Parliament had been disregarded. Well, Sir, I can say, as far as I am concerned, that I am not aware of any contract having been entered into without the consent of Parliament. At any rate, it will be found that a very small outlay, if any, has been so incurred, and that no obligation has been entered into which does not fairly come within the limits of the amount legally applicable under the head of Unauthorized expenditure. The practice, so far as I am aware, has always been that no contract has been entered into unless upon the authority of the Parliament; and, if otherwise, there must be very great blame attributable to somebody—to the permanent heads of the department. I am not prepared to say that that blame is attributable to them now, until I see the return to which I called attention in the earlier part of the evening. If that return had been laid on the table a month ago, as it should have been, it would have shown every contract that has been entered into, the date of the contract, the contractors' names, and the authority of Parliament. I think that, had the honorable gentleman come down boldly and said they were now called upon to meet the consequences of the misgovernment and recklessness and extravagance of past years—that these had now come to a focus, as it were—had he come down and said that the results of the financial intoxication, if I may call it so, initiated by the "continuous Ministry," aggravated by the commercial depression which has prevailed throughout the colony for the past two years, are now culminating upon the heads of the Ministry, from whatever side of the House, now occupying those benches—had he come down and fully avowed that, he would have been nearer the truth, and would have been acting a manly and straightforward part. I must say that I, for one, am not prepared at all for this enormous additional taxation. I am utterly taken aghast at the idea of proposing additional taxation of from 35s. to £2 per head on every man, woman, and child in the colony. That is not the way to get out of our difficulties. We are taxed enough now, in all conscience. I should have preferred if he had come down and said the time had come when we must cut our coat according to our cloth. Had he said, Circumstances not the creation of yesterday have arisen whereby the Government have got into a position of enormous responsibility, a position in which, if it does its duty to the country, to this House, and to itself, it must needs subject itself to very great unpopularity—had he come down and said that, and called

upon us to act together, shoulder to shoulder, in overcoming the difficulty of the position, I think it would have been more the part of a statesman and patriot than coming down with proposals such as those now indicated, and attributing blame to his predecessors, with which they are not fairly chargeable. I have no wish to excite any discussion at the present stage, but I cannot refrain from giving expression to the sentiments engendered on hearing the speech of the honorable member.

Mr. GISBORNE.—When the honorable member alludes to the American system of property-tax, does he allude to any Act of the United States, or any Act of some particular State?—because there is no such Act as that to which he alludes in force as an Act of the United States. It is, I believe, an income- and property-tax, and substantially corresponds with the income- and property-tax in England. Does the honorable gentleman allude to the system of the United States, or the system of some particular State?

Major ATKINSON.—They are both the same; and ours is the same proposal, with the difference that we except income.

Resolutions agreed to.

On the question, That the Chairman do report the resolutions to the House,

Sir G. GREY said,—Sir, before that question is put, I think it would be well to raise some discussion on what has been brought before us to-night. In former years, when I had the happiness of acting in perfect accord with my honorable friend the member for Waitemata, we on various occasions tried, shortly after the Financial Statement was delivered by the Colonial Treasurer, to bring about a discussion, in order that we might be enabled to reply to the statements made. But we never were able to get that discussion on: so that on one occasion my honorable friend absolutely left Wellington and returned home, giving the matter up in despair. Therefore I think it is better at once to seize the golden present, and to make some reply to the statements that the Colonial Treasurer has made. The honorable gentleman began by saying something to this effect: that we all admitted that we had allowed our finance to drift into a very bad state—that that was admitted by all to be the case. Now, I absolutely deny that our finance has drifted into a bad state; and I feel perfectly certain that, if any one will consider the Statement made by the Colonial Treasurer, he will find that the real difficulty has arisen from the stoppage of the Land Fund; that the revenue has gone on increasing year by year; that our financial position, in point of fact, has improved year by year; and that the one difficulty that has taken place is the temporary failure of the Land Fund. As has been repeatedly pointed out, land is a commodity which does not decrease in value; land is a commodity which costs nothing to store or keep, and which does not deteriorate; and land is a commodity which ultimately realizes greater prices than it would have realized if it had been sold in past years. Therefore, in that respect, I say our finances have not drifted into a bad con-

dition. I go further, and say this: In the concluding portion of his speech the Treasurer says a considerable deficit will take place during the current nine months, on account of new taxation to make up the probable deficit at the commencement of this financial year not having been imposed. Well, Sir, the honorable member and his friends are answerable for that. We were prepared to deal with the matter in July last, and we had ready proposals for increased taxation which I am sure would have been as infinitely superior to those now proposed as light is to darkness; but we were prevented from bringing them on. There was a determination on the part of the honorable gentleman and his friends that we should not do so. A dissolution became necessary. The country was appealed to, and when the new session commenced we were again prepared instantly to lay before the House similar proposals to those which we had been prepared to lay before the House at the commencement of this financial year. But the honorable member and his friends again stopped us, and they are entirely responsible for the delay which has taken place in the imposition of taxation. I therefore say there is no unsoundness in the financial position of New Zealand, absolutely no unsoundness whatever, and that this temporary deficit has arisen from a cause for which the present Government, and no other persons, are responsible. I then pass on to this: I need not notice in detail the various statements that have been made in the proposed system of finance for the future which has been laid before this House this evening. I will confine myself to broad facts. I say this—and it is that which every one in New Zealand knows—that the present Government were put into office for this one purpose: to get rid of the land-tax. They were put into office principally by the Bank of New Zealand, aided by the Legislative Council of the colony, aided also by the great landholders of the colony; and I believe every man in New Zealand recognizes that they were put into office to do away with the land-tax. For instance, look at the Premier. He is the very person who formerly ruined the Province of Canterbury by devising a system under which the country was gridironed, and by other measures under which enormous advantages were given to squatters. Let any man who wishes to understand this read the Canterbury papers—the poetry of past times; let any man read the history of the country. The present Minister of Lands also was really his principal assistant in these transactions. He was in office at the time that system was established, and carried it on until such an outcry was raised that it was impossible for any one to do otherwise than stop it; and then he himself was also the one man who was mainly instrumental in securing to the Canterbury squatters their land leases for another ten years, without allowing an appeal to the country as to the advisability of that course being adopted. Then, if we turn to the Upper House, we find the leader of that body a gentleman specially put in there—having been rejected by a constituency—who has always taken the part of those large landed speculators in Auckland who have acquired either large por-

tions of Government land or immense properties from the Native population of New Zealand. This is how the Ministry is composed; and I ask, would it be possible, under such circumstances, that anything would be left undone to get rid of the land-tax? Let us consider what is proposed to be done by this Financial Statement. Let us look at it fairly. Can there be a doubt that, under the present system, the class which the Government represent have already got possession of the very best portions of the land in the country? Look at the Middle Island. Look at the Province of Canterbury. Almost all the good land there has been taken up. And so in various other provinces of New Zealand, where the same system has been pursued. Look at the Native land. What has been going on in respect to that? This House is aware that a Bill was introduced by myself for dealing with Native land by private individuals. That Bill received universal approbation in the North Island; and yet the present Native Minister, apparently ignorant that such a Bill had ever been introduced, stood up the other evening and declared that such-and-such a measure was wanted, giving every detail of the Bill which we proposed should be enacted. We brought that Bill forward and should have carried it out; but those gentlemen are keeping it back. They do not intend to allow it to become law this session; and I know it is a fact that at this moment large agencies are at work by whose operations large blocks of Native land will be swept away from competition, and will pass into the hands of a few speculators; and that Bill is at present being kept back in order to allow this sort of thing to go on and to allow those persons to carry out their plans. Such being the case, our only safety is in that plan to which the inhabitants of Victoria have had recourse—that is, to take care that there is a tax upon land, and that that taxation shall increase in the proportion as property increases, so that a necessity is laid upon the large landholders to cut up their estates, or, if they refuse to do that, they shall be compelled to bear a fair share of the taxation. But it is unjust that, under any circumstances, men should be allowed to shut up a large portion of the earth's surface from their fellow-men, and to provide beforehand that New Zealand shall become a State in which there shall be two classes, a class of large landholders with many privileges, and another class, by far the larger, which for generations and generations to elapse shall serve these men, and have no hope of getting homes of their own. That is a system for which these gentlemen have been repeatedly contending, and it is in furtherance of that system that they now come down and ask to have the tax taken off the land. If there is any objection to the form of the land-tax, let it be altered to the form in which it exists in Victoria—that is, so much per acre upon all land, improved or unimproved, the amount per acre increasing in exactly the same proportion in which the estate itself increases. Now, what they are going to do is to do away with the land-tax, and put on what they are pleased to term a property-tax, the meaning of which is, that every man will have to pay for his improvements as well as for

Sir G. Grey

the value of his land, while the speculator will have to pay nothing. The speculator is to be allowed to hold vast tracts of land for purposes of speculation, without paying a single penny of taxation, because he does not improve it. Still, it increases in value from the improvements which his neighbours all round him make; but he himself is to be taxed in no way whatever for the land he holds purely for speculative purposes. For years he may shut out all improvements from it, and use it simply for sheep, or not at all; while the poor man of small property year by year will be bound to pay more and more, because he will have improved his land to the highest degree and increased its value. Such a system as that must destroy all hope for the future of this colony. All hope must be gone from the people of this country, if such a system as that is adopted. There is no analogy between this country and the United States of America in this respect, because large properties cannot there be held by individuals. Their laws prevent such a thing; but there is nothing of the kind here. And now I say, Sir, that the whole of this deficit might have been met without any increased Customs duties, or any property-tax in the form in which it is presented to us. It could have been met by putting on an increased land-tax, and that in such a way that the duty paid here would be more fair than it is in Victoria, and yet under a system that would certainly yield a revenue of £200,000 or £300,000 a year, without unduly pressing on any landowner, or compelling him to pay more than if he were in one of the other colonies. Then I do not see, under the proposals submitted to us, in what manner those gentlemen who draw large incomes out of New Zealand are to be got at. I do not see any plan laid down for that purpose; nor do I see any way by which great incomes are to be got at. It appears to me no explanation whatever has been given of that subject. I say, again, it would be perfectly possible to impose an income-tax which would not touch any one possessing an income of under £300 a year, while it would touch every person who drew any income whatever away from New Zealand. It should be so placed that those persons who derive their incomes from work, either mental or corporal—whose incomes are dependent on their own mental and bodily health, and are therefore precarious—should not have to pay; while the tax should be imposed upon all those who possess fixed properties. In that way you could, I believe, raise between £300,000 and £400,000 a year, and yet you would not have to impose so large an income-tax as people have now to pay in England. And what is to take place under these proposals? The plan I have sketched out is this: Those who contribute to the taxation of the country shall be those able to pay it; the tax shall be in proportion to the sacrifices made. The proposal here is, once again, that the taxation is to fall upon the people at large. We are told, in order to sweeten the dose to us, that the tax upon tea and sugar is not to be reimposed this year; but then that probably will be done next year, while certainly the taxes on all other necessities of life will remain unaltered, or be largely in-

creased. Under my proposal, there would be to a certain extent a prospective finance. It would raise a sum sufficient to meet the deficit, while, as the prosperity of the country increased and the land revenue was restored, you could go on decreasing the duties on the necessities of life, leaving the burden on the shoulders of those best able to bear it. I say it is intolerable to think that, for years past, the whole population of New Zealand at large have been compelled equally to pay the taxes of the country, while enormous incomes have been drawn from New Zealand by gentlemen in Europe who have not paid one single penny towards the taxation of the country from which they derive such enormous benefits. I see no attempt in the proposals now made to make them pay towards the burdens of the country in proportion to the benefits they derive from it. The Colonial Treasurer went on to say that he believed a considerable sum—something like £190,000 a year—would be saved by the consolidation of the loans; and he further said that that would be done, because the bringing of the Act into operation would be intrusted to gentlemen who would have an interest in carrying it out. I do not know what he means. I think he must mean this: that they are going to appoint some gentlemen to do it who are to be paid a percentage on the consolidation—that some individual is to be allowed to make a large income out of it. That, I apprehend, is the meaning. I do not understand the consolidation of the loans is to be intrusted to gentlemen in every way qualified to carry it out. I perfectly agree that we should get rid of the charge for sinking fund, but I think we should adopt the English system, and by that means I think we could get rid of it in a single year: that is what was done in Great Britain, and it was done at no cost for agency. The other plan will be much longer, for, if I heard rightly, it will be intrusted to some person or persons who are individually interested in making a large profit by it. Then, Sir, we are told that the annual deficit we have to provide for amounts to something between £800,000 and £900,000. I do not believe such an annual deficiency will exist. I believe New Zealand will shortly enter upon a career of great prosperity, and that the taxation on existing sources of revenue will continue very largely to increase. I think it is taking a wrong view of New Zealand, a wrong view of its capabilities, a view that will injure it in the money-market at Home, a view that a Colonial Treasurer should not take, to say that such a deficiency will exist for a considerable time. It has arisen solely from the failure of the Land Fund. That source of revenue will, I believe, increase very rapidly; and I do not see why we should not use it in aid of the general revenue of the country, because I believe by the time it is exhausted the population of New Zealand will have so vastly increased, and the revenue will have so vastly increased—increasing, as it will do, in a ratio greater than the population—that the necessity for having recourse to such a fund as a Land Fund will have passed away. I am sure that is the wise way in which to look at it—the proper thing to tell our creditors and the

inhabitants of New Zealand. To set up the present state of things as a plea for sweeping away the land-tax is, to my mind, intolerable. I remarked the way in which it came out. It was quite delightful to hear the expression used. It was said, in point of fact, that the land-tax was to be absorbed—merged into a property-tax. I say it is not to be merged into it at all. They are totally distinct things. It is a gross misrepresentation to say that the land-tax is to be merged in the property-tax. It simply means that the great landholders, who have put that Government into office, are to escape altogether that taxation to which they are justly and properly subject at the present time, and that all hope of preventing people from acquiring large properties in future is to be taken away from the inhabitants of New Zealand. If that land-tax did not produce the effect upon those who have large properties now, it would certainly prevent others in future seeking to obtain large estates. I say that to attempt to force the now-proposed system of taxation on the country is to tell the people of New Zealand many things that they will be sorry to hear. It is to say this: that the future burdens of the country are to fall, as hitherto, upon those classes who labour to make the country what it is. Every family is henceforth to be taxed as largely as it was in the past. Upon them the whole burden of taxation is to fall, while those gentlemen whose properties have had enormous value given to them by railways and public works are hardly to be touched at all. What is a penny in the pound to a man who has had £20 or £30 an acre added to the value of his property, and who, if he choose, can sell it immediately at that price to any person? It amounts to absolutely nothing at all. But to the poor and struggling farmer, who probably has had to borrow money to enable him to improve his land and who is now to be taxed for those improvements, it means a great deal—it is a very great burden indeed. I do hope the House will resist this; I do hope the country will resist it. I firmly believe, when the whole subject is considered, the people will say that it is intolerable that a reversion should be made to a system that they had hoped had ceased for ever. They will say it is shameful these dealings in Native lands should be allowed to go on in the way they are going on. It is known very well that the best pieces of the Native land were being held back in the hope that they would be sold in small blocks in the open market, so that every man should have a chance of obtaining a little property for himself. But, under the proposals of those honorable gentlemen, a single individual can acquire 200,000, 250,000, or 300,000 acres of the best land for himself, and only those can acquire such lands as have the control of certain Native agents. We know that negotiations are going on for the purchase of such blocks at the present time, and the result will be that all that land will be swept away from the public, and will not be subject to any equitable taxation. I think the people of New Zealand will be of opinion that in that respect they are very badly treated. And when they are told that,

Sir G. Grey

Victoria having already imposed a land-tax, a great movement is being made throughout England and Scotland and Ireland to have such a land-tax imposed as every one sees the necessity for, they will say that it is very hard they should be obliged to lag behind their fellow-countrymen of the Anglo-Saxon race in other parts of the world. Consider what the wealth of New Zealand really is at the present time. The Colonial Treasurer hardly touched upon that. It is true that the value of improved property in New Zealand is ninety-nine millions. The improvements alone are upwards of thirty millions. The amount of money lent on mortgages in New Zealand is £21,700,000 odd, and nearly one-half is lent by New Zealanders themselves. The capital invested in banks, insurance companies, and other industrial companies is known to be upwards of three millions at the present time. The stocks of merchants and traders are estimated at ten millions. It is known that one million is invested in shipping in New Zealand. Those few headings will give an idea of the present wealth of the country—of this country, which is said to be in a state which ought to alarm everybody, which is absolutely to create alarm of the gravest kind. We are to be compelled to borrow between £700,000 and £800,000 upon Treasury bills to meet this great deficit. There has been no means provided—nothing that we have been told of—to pay off those Treasury bills. It appears to me that the system of borrowing is to be continued to a greater degree than ever. We have not been told that the land-tax is to be levied—whether the sum of £150,000 due is to come into the Treasury or not. We do not know at what period it is to stop. No information upon any one of those points is afforded to us. I say that, while the Government of New Zealand possesses property of the kind I have spoken of, while it possesses great tracts of unsold land—for, although the most valuable portions are gone, still in each succeeding year lands now, comparatively speaking, not of much value, will have great value given to them by the pressure of population—it is nonsense to talk of the country being in an embarrassed state. Any country in which the revenue is increasing must be in a good state, and my only fear is that the gentlemen now in office may, from some mistaken system or other, not only produce an alarm regarding the state of the country elsewhere from the statements they make, but that they will, by improperly limiting the expenditure, bring on a great depression in New Zealand, which is absolutely unnecessary. They say our credit is gone, that the public works system cannot be carried out, that we ought not to complete our railroads in a hurry, that there is no means whatever of so doing. I say that there are abundant means of so doing. If railways will pay, the sooner they are made the better. Why not pursue here the same system as in other colonies? When railways would pay, other colonies have raised no money whatever for constructing them. The colony has the line of railway surveyed; it has an estimate made of the probable cost; it sends that Home to Europe;

and in the colony and in Europe it calls for tenders for the execution of the railway, guaranteeing 5½ or 6 per cent. to any company undertaking to make it. In that way a number of railways have been made in other colonies. Why not do the same here? When is the railway from New Plymouth to Auckland to be made? The Natives are now willing to allow the railway to be made not only to the River Mokau, but a long way up the River Mokau. Why not carry that on? Why are we to be told that a stoppage is to be made in our great railway works? There is even another way of making our railways. The late Minister for Public Works showed that, when he called for tenders for railways, and the amount was to be paid subsequently to the completion of the railways, a great value would be given to the lands through which the railway would be made to pass, and the sale of that land would, on the completion of the railway, pay the cost of its completion. There are various ways of making our public works without delay. The present Government say they will reduce the expenditure within such narrow limits, because they can raise no more money. If they do that, they will bring on a great and vast depression. If they are really determined to make great reductions, let them be carried out. Let them, for instance, get rid of the Agent-General's office in London, and abolish the present system of introducing immigrants into the colony. The Government will thus get rid of a most expensive department; and, when immigrants are wanted, let them send Home an agent for the special emergency that has arisen. That has been done in Canada; that has been done in other colonies; and the system has answered well. Those colonies have not kept up an enormously expensive establishment in England. If, as the leader of the Opposition says, we are to cut our coats according to our cloth, let us cut them in that way. That will do good to the whole community at once. It will at once relieve the community of an immense expenditure, and render it certain that no immigrants will be introduced at the cost of the country until the matter has been well considered, and special funds voted for the purpose. In every way that will be a great advantage to us. If they would introduce reforms of that kind—if they would increase the tax upon land in proportion to the amount held—if they would take care that all incomes in New Zealand are subjected to fair taxation—the whole of this new plan of theirs would be absolutely and entirely got rid of. It will be an intolerable burden to New Zealand that every man should have a tax-gatherer coming into his house to value the whole of the property he possesses; that every farmer should be taxed for all the improvements that he has made, so that he will dread to make improvements, knowing the further burdens they will bring upon him. If this system is followed out it will be the greatest blow ever given to the prosperity of New Zealand. I hope the House will not lend itself to a measure of the kind. I hope the House will insist upon it that great alterations of this kind in our system of taxation shall not be introduced until the new electorates have come into opera-

tion. I hope the House will refuse to have anything to do with measures of this kind, or to vote supplies, until a Bill is brought in by which fair representation will be given to the people of New Zealand, and those pocket-boroughs—those small constituencies—will be got rid of. If those small constituencies did not exist, no Government would come down and dare to make a proposition of this kind to the House—no Government would hope to be able to carry measures of this kind. I feel firmly convinced yet that there will be spirit enough in this House to make a firm and determined stand against an alteration of this nature until fair reforms are given to the people of New Zealand, so that, when they are fairly and justly represented in this House, they may refuse to allow those great changes to be carried out, so adverse to the interests of New Zealand, if they feel that such is the case. If, in spite of all the efforts they may make, those changes are forced on by the present Parliament, in the next Parliament which is elected—and which must shortly come about—a total reversal of that system will occur; the system now in operation will be extended in the manner I speak of; and changes of the kind now proposed will not be allowed to be hurried upon the country. At the late elections, did any of those gentlemen go on the hustings and say, "We intend to abolish the land-tax"? In what great constituency was that said? I believe that in some small constituencies, where great landholders return particular members, such things were said. "Farming districts," I am told by some honorable members. I would ask, what are the size of the farms? I have had farmers coming to me from those farming districts, and I found that what they called a small farm consisted of five or six thousand acres of first-rate land. That is my experience of some of those farming districts. I ask, in what great constituency was it said that those things were to be done? I believe it is utterly unknown to the electors of New Zealand that such a total change of system was contemplated by a majority of the members returned to this House—if a majority of members do contemplate such a system. I still believe that we shall be able to make so thorough and complete a resistance to the establishment of the proposed system that this will be almost the last that will be heard of it. It may be fought in detail, but I believe it will never pass. I believe that an income-tax will be fairly imposed, and that those who derive a benefit from New Zealand in any way whatever, and in whatever part of the world, will be got at. I believe that the small farmer will be left with his improvements untaxed; that large speculators in land will be compelled to pay taxes in proportion to the size of the properties they hold for speculative purposes, so that they will find it is not advantageous to hold properties in that way. I believe that a determined feeling has become engrained in the mind of the people of New Zealand that this shall be a country of small farmers; a country with an educated population—a population educated not only in schools, but also educated in political knowledge; a country in which every man, almost, will take

an interest in public affairs, in which he really is so deeply concerned. I believe that the people of New Zealand will insist upon a system of that kind being carried out; and I am satisfied that if the honorable gentlemen occupying those benches do try to force on their proposed system they will have no long tenure of office. I feel sure that the table will groan with complaints against them. The indignation which prevails against many past transactions in regard to lands will continually go on increasing until it will raise a spirit in the country which will necessitate a complete change, so that abuses of this kind will never arise. When I think of such things as have passed, and am told that the holders of enormous properties acquired under that system are not to be subjected to any taxation other than that placed upon poor farmers, I am filled with wonder. I have looked through the worst instances on record of great properties having been granted to favourites of the Crown, or to persons possessing great influence with the Government. The largest property I can find so granted was 40,000 acres. The usual size of such grants was 4,000 or 5,000 acres. There is no instance, I believe, on record in the history of the Empire, in which 86,000 acres of land was given to one individual for £5,000. I mean the Waikato-Piako Swamp.

Mr. WHITAKER.—88,500 acres.

Sir G. GREY.—I thought it was 86,000 acres. It was a monstrous thing that was done, and both the parties to the transaction were traitors to their fellow-countrymen. I say that all those concerned in it should blush that such a thing was ever done, and those who inherited property so acquired should be ashamed indeed at obtaining it in such a way, and on such terms. That is what I think of that transaction. There is no other instance that I can find of the same kind. I have searched the grants in Ireland, and I have searched the grants in other countries, and I can find no estate granted exceeding 40,000 acres; and yet here is an estate of 88,500 acres given for a sum of little over £5,000, the rest of the country being ignorant that such a thing was done: and in a case of this kind some tax should be imposed, by which those who obtained such great advantages should refund something to the country. If not, I see no hope for the future. With reference to these negotiations for acquiring enormous landed properties from the Natives, it was only the other day I saw a letter detailing the things that are going on, and which an Act I tried to introduce last session would have stopped, and would stop now. I say, if these things are allowed to go on, there is really no hope for New Zealand in future that I can see. Unless some most desperate struggle be made, what redress can we possibly obtain? I cannot think myself where the redress is to be obtained. These small constituencies enable certain persons to be returned to this House. Great moneyed corporations interfere with the elections. No one can deny that. All know that what I say is a fact. Great landholders have interfered with the elections. The Legislative Council interferes with this House in a

hundred ways whilst we are sitting, hour by hour and day by day. Its members interfere with us, and use every influence to get one Ministry turned out and another Ministry put in, and to secure votes to attain objects which they have so dearly at heart. In what way are the people of New Zealand really represented now? I ask you that question. There are three branches of this Legislature. Are the people represented in the Governor? The second branch is the Legislative Council. Are they represented there? I really cannot myself imagine the feelings which can operate upon men's minds. I know that all my dearest interests may be interfered with by men who have no right whatever to interfere with me, who have been chosen to the Legislature by no one, and who should not have a power of that kind. They can make alterations in every law that is sent up to them, and yet we are to have no power of determining whether they are to sit there or not and to have the mastery over us. I declare it absolutely fills me with indignation. I believe that any man who thinks at all, any man who respects himself, any man who cares for his country, any man who walks with the dignity of a man about him, would feel the same indignation that I do. If not, then he is a traitor to his country, and he is wanting in those feelings which every man ought to have in his breast. When he knows that all that he holds dear is being interfered with by those who are nominated by the Crown for life as legislators, and who do not bear their fair share of taxation, if he does not resent it he is no man at all. How does it arise? That is the question. A wrong compact was made with a great banking firm in this colony, which got possession of all our funds—got the use of them, and it had the power of lending them to their friends—and thus acquired an influence here such as has never been known in any other British colony; and these nominees themselves have been the largest sharers of these advantages. Such a state of things ought not to be allowed to exist for a single day. I hope that a speedy termination will be put to it. If men, possessing an influence of that kind, do succeed in making such an alteration in the system of taxation—if they do succeed in throwing all the burdens of the country once more upon the poor, and those least able to bear them—if they are forced by those who direct their movements to carry out a policy of this kind—I really see no hope for the future of this country: but I still believe that the people of New Zealand will rise to a sense of what they owe to themselves—to a sense of what they owe to their families—and that they will see that they are truly represented in every branch of the General Assembly, and that laws shall be made by the people themselves interested, and not by mere nominees. The nominees are the members of the Upper House, and the great landowners representing small constituencies in this country. Under the system of nomineeism there is no fair representation for New Zealand at the present moment. Had there been a fair representation, a fairer adjustment of the incidence of taxation would have been proposed than that which we have had brought forward this night.

Sir G. Grey

Mr. READER WOOD.—Sir, these financial debates are not new to me, and I think that very little good has ever been got by discussing a Financial Statement of an important character before honorable members have had that Statement in their hands, and have been able to study it, to consider it, and to understand it; but, as the honorable member for the Thames (Sir G. Grey) has spoken on this subject to a certain extent, there are one or two points in his speech to which I desire to refer. It has often happened to me in past years to be associated with the honorable gentleman in financial debates, and in considering financial questions, and we have in almost every single instance come very much to the same conclusion; there has been little or no difference of opinion between us. Still, I am not surprised to see that there is a difference of opinion between us on the present occasion. The position which I have always taken up on the subject of finance, almost from the very time when Sir Julius Vogel made his Financial Statement in 1870 which originated this great borrowing policy, was that the thing never could by any possibility pay; that as long as money could be borrowed there would be a temporary prosperity created, but that ultimately a very considerable amount of taxation would have to be levied upon this country to meet the expenditure—the unprofitable expenditure—that had been incurred in consequence of that system. Year after year—fruitlessly, I admit, but still on many occasions with the approbation and assistance of the honorable member for the Thames—I have shown that, even by their own statements, upon their own methods of bringing down the accounts, although they generally contrived to exhibit an apparent surplus, yet, in point of fact, there almost always existed a deficit. We have had an accumulative deficit, measured by outstanding Treasury bills to the extent of £800,000. That has been the measure of the deficit during the last seven or eight years. Now that the Land Fund has failed us, what is the consequence at the present time? That in the five months of this current year we have issued, and absorbed, and spent £600,000 more raised by means of Treasury bills. There is a deficit to that extent existing at this present moment; and although the honorable gentleman, the member for the Thames, always agreed with me that the finances were really in an unsound state during all these years when there was a nominal surplus, yet now, when there is a large deficit cropping up in a way that cannot be covered by any system of accounts, or concealed in any way, the honorable gentleman says the finance of the country is not in a bad state. Is there anybody here who knows that two and two make four, who understands the commonest mercantile accounts, who does not see that the finance of the country is in the gravest possible condition, and that if we go on in this way any longer the ultimate result must necessarily be that we shall be unable to pay our interest in London, and the labourers, the contractors, and Civil servants here? There is one point still further to show the bad state of the finance of this country. It is not many months ago—not three months ago—

since this House passed a Loan Bill for the sum of five millions of money; and the honorable gentleman, the Colonial Treasurer, tells us that, of that five millions of money, three and a half millions is actually engaged for in as many months—and that before a single sixpence of the loan has been raised, and with perfect knowledge on the part of the late Government that there might probably be a considerable difficulty in raising it. I have spoken recently of the recklessness of Sir Julius Vogel; but the recklessness of Sir Julius Vogel is simply as nothing in comparison with the recklessness of those who have recently had the management of public affairs, for Sir Julius Vogel always took very great care to do this: How he got the money was a matter of very little consequence; but he did get the money, or saw his way to get it, before engaging in any contract, or entering into any work; whereas the late Government entered upon works without any knowledge or any assurance that they ever would be able to secure the necessary funds. Far be it from me to lay the whole blame of this state of affairs upon the late Government. It is largely the result of the financial system that we have been carrying on for the last nine years. I, however, expected this of the late Government, when they took office: that they would economize—that they would use a degree of prudence that former Governments did not use—that they would take greater care of the funds of the country, and that they would not more extravagantly waste them than the previous Government did. Well, the honorable gentleman says that there are some means or other—what means I do not know, and he did not go into any detail—I understood him to say that there were some means that could be devised of covering this deficit, and of carrying on for the next two or three years, other than increased taxation. If the honorable gentleman will at any time come down to this House and show me some plan by which that can be done, and by means of which this taxation which the Colonial Treasurer proposes, or any similar taxation, can be avoided, I will do everything that lies in my power to support him; for, next to the country becoming bankrupt, I do not know anything worse than the extra heavy amount of taxation which the Hon. the Colonial Treasurer proposes to lay upon it—an amount of taxation that will be found, I think, when honorable gentlemen come to understand it, to be of the most grievous kind possible; an amount of taxation which I think does not exist in any other part of the world—certainly an amount of taxation that exists in no other part of the Australian colonies; and yet an amount of taxation which, if it can be raised, will barely meet the deficiency which the honorable gentleman has shown to exist. And without some such mode of taxation as that, whether it be a property-tax or an income-tax—how it is to be laid on is a matter of small consequence—without some such burdens as these imposed upon the people, I do not know how we are to get what we all desire to get—an equilibrium in our finances. The honorable gentleman entered into other questions into which I certainly shall not think of follow-

ing him; but there were one or two points further to which I wish to refer, as they relate very much to the financial condition of the country at the present time. One was the opposition that he intends to offer to the proposal of the present Government, that our construction of public works should be limited. I understood the honorable gentleman to say that if the construction of these public works was limited it would bring a considerable amount of disaster and depression upon the colony; and that he would continue the railway system through from New Plymouth to Auckland, because, I understood him to say, it pays. Why, Sir, there is not one of these railways that pays—not a single one, from the north to the south, that pays working expenses and interest on the money borrowed for its construction. What did the late Minister for Public Works, the honorable member for Port Chalmers, say in the short Statement he made during last session upon that subject? He told us that the railways in the South Island paid 3 per cent.—that was, 3 per cent. towards interest after the working expenses were paid—and that the railways in the North Island paid only 1½ per cent. Now, if you put those figures together, and take the length of lines in the South Island compared with the length of lines in the North Island, you will find that the lines on an average pay 2½ per cent., which is actually less than half the interest we have to pay. So that, the more money we borrow for making these railways, the worse position we get into. If the railways will pay, make the railways, of course. That was what Sir Julius Vogel stated in the first instance. He said that not only would they pay working expenses and all the interest, but that we could make a profit out of them. Instead of that, however, what do we find? We find now that out of the revenue of this country we have got to pay one and a half millions in the shape of interest alone, before we begin with the ordinary expenses of the country. The honorable gentleman said also that many members of this House, and particularly those who support the Government, were put in here by a large monetary institution, and he alluded especially to the Bank of New Zealand. All I have got to say is that, when I contested Waitemata with the late member, my principal opponents were the Bank of New Zealand, and if it had not been for that institution I do not believe that my opponent would have had the slightest show. So that, as far as I am individually concerned, I had not to thank the Bank of New Zealand or any large company for anything at all, and was indebted to no one for my return but the settlers of the district which I represent. Then the honorable gentleman stated that there was another course that might be adopted; and I certainly agree with him that it may be adopted, and probably it has been adopted by the Colonial Treasurer—at any rate it may be adopted with a small amount of success—and that is, reductions in the expenditure. There is one of these reductions I will go with him under any circumstances in getting rid of, and that is the Agent-General's office in London. I have been of opinion for a long time that this office is utterly

Mr. Reader Wood

unnecessary, and exceedingly expensive; that it is unnecessary to go on with the system of immigration; and that, even if we required to go on still further with the system of immigration, it could be carried on without the existence of the Agent-General's Office. The honorable gentleman made a very great point about the land-tax, and he tried to mislead the House by saying that the land-tax was to be abolished. Well, that would be a point for him if the land-tax were going to be abolished; but, as I understand the proposal of the Colonial Treasurer, it is to exist, with a whole heap of other taxes as well: it is, in fact, to be quadrupled. The land-tax itself—which is now a halfpenny in the pound—is to be doubled, to begin with; and then all other kinds of property—mortgages, bank shares, and so on—are to be added on to it. So that, instead of getting rid of your land-tax, you are actually doubling the tax that existed before, and then in addition imposing taxation upon every other possible kind of property—as far as I understand the Colonial Treasurer, even the very beds we sleep on, and the chairs we sit on. Surely that is taxation enough. My opinion is that the taxation, if it is ever carried out, will be of so heavy a kind that you will drive people who are already in the country away from it if they can get away, and you will prevent others from coming here. Still, what alternative is there, unless it is utter national bankruptcy and ruin? There is absolutely nothing else. Something of the kind must be done, and it is idle to say we can wait for another two or three years until the Land Fund increases. Is it likely, I ask, that the Land Fund will ever again come up to the amount which it has yielded during the last three or four years, of about £1,100,000? I do not think it is at all likely. Especially is it unlikely as long as there is a considerable tax on these lands. In nine cases out of ten, people who buy land buy it with borrowed money, and, if they buy land with borrowed money, they not only have to pay interest, but they have to pay taxation as well. Even if there were nothing else to prevent it, this land-tax itself would stop anything like considerable speculation in land. Then, Sir, again, with regard to these land-taxes. It appears to me that there is no excuse whatever for saying that land is a particular kind of property which is entirely apart and distinct from every other sort of property. The idea is the result of the notions that existed in feudal times. If you read any modern writers on economical affairs you will find that in every single instance they class land as being in the same category as other property; and there can be no excuse whatever for taxing one without at the same time taxing the other. There can be no doubt in the mind of any honorable member of this House that the financial situation of this country is exceedingly grave at the present moment. It is, I am sure, a matter of very considerable difficulty with every one to know how it is to be met. I am quite satisfied the House of Representatives will insist upon seeing that it is met some way or other before we leave this House. It will never do simply to save the matter over and say, "Oh!

next year we are going to talk of reform, and there is no necessity now to make any provision for next year. We will not attempt to put our finances on a sound footing, but we will borrow a little more money to carry us on for the next six or seven months, and everything will be rosy and nice." But I feel sure that this House will insist, no matter what Government occupies those benches, that there shall be some financial scheme brought forward during this session which will be considered sound and satisfactory in itself, and which will have the effect in the Home-country of letting the people there see that we are alive to our position, and that we do not want to pay interest out of and to live on borrowed money, but that we desire to raise the necessary amount of taxation to carry on the government of the country and to pay the interest on the money we owe.

Mr. MOSS.—I entirely differ from the honorable member for Waitemata that there can be no good result from a debate on the spur of the moment after a Financial Statement has been made. I would recall to the honorable gentleman's mind the time when the great borrowing scheme—the great public works scheme—was brought down to this House, a scheme which many people then saw would ultimately entail great disasters upon the country. He will remember how he stood up and protested against it —

Mr. READER WOOD.—What was the good of it?

Mr. MOSS.—What would have been the good of it had the discussion gone on? I will tell the honorable member what was the feeling outside. When we found that merely the honorable member himself and one other honorable member stood up, and that no one else spoke, the people outside at once said, "If this scheme commands the hearing of the House, then there is something in it." The first feeling of mistrust was silenced, and the people accepted the scheme. They said, "If the House of Representatives—the assembled wisdom of the country—receives and listens to it, then there is something in it." And I believe we should have been saved many of those calamities which we are now deploring had the honorable member on that occasion persisted in raising a debate at the moment when men's minds were freshly impressed by the gravity of the subject. No statement I have ever heard has impressed me more than this Financial Statement has impressed me, and if I had to stand godfather to it I should say it was the most cold-blooded statement that could possibly have been made. Tax after tax is to fall upon those who can least afford to pay them, and as the Treasurer unrolled his budget he showed us how the enjoyments of the masses of the people are to be curtailed, and how the great burden of the taxation is to be imposed upon them just at this particular moment when we all know that everything is at the lowest possible point. When employment is scarce, and it is hard to live, this, Sir, is the moment selected for bringing down an additional burden of Customs taxation upon the people. I think an important matter like this should not be

thoughtlessly thrust aside. We should not go away, like so many schoolboys after hearing the schoolmaster deliver an oration, without having the opportunity of saying what our impressions are. I shall not now go into the figures which the honorable gentleman quoted. What I propose to do is, I think, reasonable. I propose to criticise the spirit which evidently characterizes that Statement: the spirit in which it is conceived: the spirit which runs through it from beginning to end. I listened with a good deal of attention to the speech of the honorable member for Waitemata. It was full of well-turned periods; but I should have been very glad if I could have found out, when he concluded, what he really thought of the Statement. He first attributed the present difficulty to the great borrowing policy, and then flew off and said it was attributable to the recklessness of the late Government. I was sorry to hear the honorable gentleman make that statement, because it came with a bad grace from one who was elected to support the late Government, and who was in a position to speak as strongly of their recklessness a few weeks ago as he is now: but not a word was heard from him during the time he supported the late Government; not a word did he utter during the time he remained faithful to them while they were an Opposition. It remained for him to stand up to-night and with all the zeal of a new convert denounce those who are now his opponents, but who had been his warm friends. As to the question of the deficit, there cannot be much difference of opinion upon that point. We are all agreed that it is simply through the land revenue falling off: but I must say, further, that it would have been apparent for many years past if our accounts had been properly stated. But it has been covered up, and expenditure thrown on the loans which ought to have been borne on the general revenue of the country. I will not go into that matter now, but will prove its truth if necessary when the proper time comes. What we are most concerned with to-night is not to try to throw blame upon any particular Government or upon any particular course of policy; but, having ascertained the cause of this deficit—namely, the falling-off in the land revenue—to see how it can be made good. That is the question. It will require no close study of the Financial Statement, to come to a conclusion upon that Statement, so far as the proposals before us are concerned. I will ask any man in the position of Colonial Treasurer, having to face so serious a problem as this, whether the first question he will ask himself is not this: We have come to a time when the country is undoubtedly in great distress; when, undoubtedly, there is great difficulty on the part of many men to earn a living. We are come to a time when we are threatened with a cessation of the public expenditure which has been so long going on. Is that a time to select for laying enormous burdens on the people? Should not the first thought be, Can we not reduce our expenditure? Might we not begin at the very top—begin with all who are receiving the highest salaries? Might we not say to them, "This is a

time when you are called upon to make some sacrifice for the public good—not to stand up and tell the people that the time has come when they alone must make some sacrifice”? We should make that proposal to those who have enjoyed high salaries in the past. That is the spirit in which the position ought to be faced. But I saw no trace of it running through the Statement made this evening. Then, the next remarkable thing which struck me was this: Two years ago, on the 22nd August, 1877, Major Atkinson, being then Colonial Treasurer, said,—

“I beg to move the amendment standing in my name, That, in the opinion of this House, the incidence of taxation should be so adjusted as to impose on property a fair share of the burden entailed on the colony by expenditure on public works, and thereby afford means for the reduction of taxes on necessities; and that the financial proposals of the Government next session should embody this principle.”

At that time it was considered the incidence of taxation was so grossly unfair that the burden upon the great mass of the people, the burden upon the labour, industry, and trade of the country, was so heavy in proportion to the burdens upon property, that the Colonial Treasurer considered an amendment of the system of taxation was absolutely necessary, and said that he would propose one next session. The honorable gentleman did not remain in office till the next session; but we have him to-night proposing a system of taxation which would intensify the unfairness, which would make the burdens upon labour, trade, and industry still greater, and proportionately diminish those which are borne by property. Now, I took the opportunity, the session before last, to quote figures to show that property had been immensely benefited by the public expenditure, that the greater proportion of these enormous loans, and pretty well the whole of the land revenue, had gone in increasing the value of property. It has been so much money put directly into the pockets of property-owners. What permanent benefit have the mass of people derived from the expenditure of these loans, that now, when settling-day comes, the burden should be thrown upon them? We, the representatives of the people, should take care that such a course is not permitted. The Colonial Treasurer tells us that in this country land ought to have no privileges, and ought to be taxed. That is what I have been fighting for all along. I say that land has privileges, and enormous privileges, and you have made these privileges permanent by the Qualification of Electors Act which we have passed this session. You do not consider the property-holder simply as a man. He is a man, and the holder of property besides; and, so long as landed property possesses these exceptional privileges, so long must it be exceptionally taxed. Now, the Treasurer proposes a system by which he expects to raise a further enormous sum partly by direct taxation, and partly by indirect taxation. I shall not go into details now. It is not the proper time to do that; but I believe this House will not do its duty unless it says plainly that in future all taxes shall be levied by

Mr. Moss

direct means, and that no more indirect taxation shall be imposed. That is a plain position, and, if the House adheres firmly to that, it will find that some means of raising revenue will be devised without too heavy taxation being imposed upon the great body of the people. We are told we are to have the American system of taxation. I have taken considerable pains to understand that system. It has always struck me as being worthy of study, because, while our English system of income-tax was tried in America and speedily abolished, they have adopted a system of property-tax which has become the recognized and habitual system throughout the States. I have taken a good deal of pains to understand it, so far as I have had an opportunity of doing so, believing that, when forty-five or fifty millions of people of intelligence—certainly as great as we have ourselves—when they deliberately adopt a system of taxation as the main system of the country, it is worth inquiring into, and likely to have some good in it. But I am afraid it will be found that we have not that system—that we have an inquisitorial system, with all the objectionable features of the income-tax but without its advantages, because it will not, as the honorable member for the Thames pointed out, reach the great absentees, whose incomes are exempted from it. As I understand the American system, it is this: The cardinal feature is the election of an assessor by the district. He is an elected officer. He is not an officer going round with a long sheet of paper officially directing you to do certain things. He is an officer elected from year to year to represent certain small districts, and he goes in a friendly way to the persons to be taxed and settles it with them. After the arrangement is made, the amount of the taxation is published so that the whole world may know it. Now, there is nothing inquisitorial in it, because they make no deductions for a man's debts. They tax what they call visible property. They have no right to enter a man's house and value his household furniture. If they go on to a farm they assess the stock, but do not go into the farmhouse and assess the furniture. Under this system of elected assessors a friendly feeling springs up. They know the assessment will be published, and therefore every effort is made to get a fair valuation. A man may be worth £100,000, or he may be worth only £10. The assessment does not give the slightest idea of what his actual wealth may be; it deals only with the property in his possession. I do not think that is the system we are to have here. The Government is not likely to come down and propose that we should elect assessors. A large staff of Government assessors will go round and, many of them in a high-handed way, make the valuations. I am not going, as I said before, into figures connected with this Statement. I merely rose to state what were my first impressions with regard to it—the feeling left on my mind as to the principle running through it; and I believe that the more it is studied the more we shall come to the conclusion that its proposals can never be entertained. To come down to the House and say

that the whole of the enormous expense attending the central system which we have adopted shall be continued—to say that, while the great mass of the people are called upon to submit to great sacrifices in the name of patriotism and for their country, those receiving high salaries to administer the affairs of the country shall not make the slightest sacrifice at all—is a proposal I hope the House will not entertain; and I believe that we shall simplify matters by deciding that all possible sources of direct taxation shall be exhausted before we allow one farthing to be added to the Customs revenue of the country for merely revenue purposes. There are articles proposed to be taxed which I should be glad to see in the tariff, not so much for the sake of revenue, but because of the good which would thereby be done to local industries. I am very glad to see that it is proposed to tax certain things, and to relieve other articles; but nothing of this kind should be done with a view of materially increasing the revenue of the country. If it is to be done to encourage home production, directly or indirectly, let us consider it with that end in view. I believe—and say it now with all seriousness—that the proposal which we heard to-night is merely an indication that we are on the brink of what may be called almost a revolution in this country. We have accustomed ourselves, and the whole country has accustomed itself, to a scale of extravagance in government and in ordinary life: we are at last brought face to face with the end of this; and the question we now have to settle is, Who is to bear the burden? That, Sir, is the plain issue. I can sympathize thoroughly with the Government in the difficulty of solving this question: it is a very grave and serious question; but, Sir, I hope that, whenever it is faced, it will not be decided in the way proposed this evening. I hope that those in power will remember that, when they deal with the great mass of the taxpayers and call upon them to make great sacrifices in the name of their country, a good example should be made by those who share largely in the expenditure of the country; a good example should be shown by those who have largely benefited by this borrowed money; and they should be ready to say, "Let direct taxation take what form it pleases; let it be a land-tax or a tax on real and personal property: whatever form it takes, we, in our patriotism, will make sacrifices too, and will exhaust every resource of direct taxation on realized wealth before we think of imposing one additional farthing for revenue purposes on the mass of the people."

Resolutions reported to the House, and agreed to.

The House adjourned at half-past eleven o'clock p.m.

LEGISLATIVE COUNCIL.

Tuesday, 18th November, 1879.

Second Reading—Third Reading—Imprest Supply Bill (No. 4)—Ashburton County Council Waterworks Bill—Telegrams—Public Accounts—Railway Tariff—Triennial Parliaments Bill—Timaru County—Fisheries Preservation Bill—Fencing Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

SECOND READING.

Building Societies Bill.

THIRD READING.

Oamaru Waterworks Bill.

IMPREST SUPPLY BILL (No. 4).

This Bill was read a first, a second, and a third time.

ASHBURTON COUNTY COUNCIL WATERWORKS BILL.

The report of the Committee on this Bill was brought up.

The Hon. the SPEAKER said that section 5 of this Bill imposed charges—authorized the imposition of freights. He had considered it his duty to confer with the Speaker of the House of Representatives, and his opinion was, that there was no objection to initiating Bills of this nature in the Legislative Council. He thought this was of great importance, and therefore called the attention of the Council to the matter.

TELEGRAMS.

The Hon. Captain FRASER asked the Hon. the Attorney-General, How long copies of telegraph messages are kept in the Telegraph Office after having been despatched; and what method is used for destroying them when the time for keeping them has expired?

Mr. WHITAKER said telegraph messages were kept for two years, and then destroyed in the presence of the General Manager or a deputy. At the present time the General Manager had a deputy at the Mataura Paper Mills, where all the telegrams were sent, for the purpose of being reduced to pulp and made into paper. The person appointed to attend to this duty saw the papers put into the pulp-mill, so that no one saw the contents, because all the writing was at once entirely obliterated.

PUBLIC ACCOUNTS.

The Hon. Sir F. DILLON BELL, in moving the motion standing in his name, said honorable members would be aware that a change had been introduced in the mode of laying the public accounts before Parliament. The Hon. the Attorney-General explained the other day that during 1878, when the accounts for the colony were for the first time presented to Parliament in the session immediately succeeding the period for which they were made up, a process of condensation was resorted to in order that the accounts might be presented early. Under the former

system the accounts were not published until after the session had closed, and therefore only appeared in the Appendix to the Journals for the second session after the period in respect of which they were made up. The effect, however, of presenting the accounts in this condensed form was to deprive members of the means of properly tracing the public expenditure and public revenue. They had only the gross totals, which, any one who understood the subject must be aware, were wholly insufficient to make members acquainted with the course of the Public Account. He saw no force in the particular reason which was given by the Attorney-General for the form which the condensation took, because under the Public Revenues Act the Treasury was obliged every quarter, within a certain time after the expiry of the quarter, to publish a condensed account; so that there was nothing to do at the end of the financial year but to bring together the totals already published. This need not interfere with the work of publishing afterwards the complete returns. He hoped, therefore, the honorable gentleman would make no objection to this motion: and, although the accounts would not be published until after the termination of any session, it must be remembered that it was during the recess, when honorable members had some leisure, that they could study the accounts and make themselves acquainted with what it was their duty, as well as their privilege, to know.

Motion made, and question proposed, "That it is expedient that, in addition to the summary accounts of receipts and disbursements of the several public funds, presented to Parliament, up to the 30th June in each year, the detailed accounts of the same be also published in the shape in which they were presented prior to 1878."—*(Hon. Sir F. Dillon Bell.)*

The Hon. Mr. WHITAKER explained that the new system had been adopted in 1877 because it was thought it would be more advantageous to have the condensed information early in the session than to publish the details after the session had closed; and, if the accounts were now required in full, they could not be published until after the session had closed. The question to be considered was, which system was preferable, though he thought the information as at present published was sufficient. If another change was desired by the Council, he apprehended a similar proposition must be agreed to in the other House, which had concurred in the present arrangement. If, after that reference, both Houses were agreed on the subject of a change, the present arrangement could, of course, at once be altered, and returns in the old form substituted for those now published.

The Hon. Sir F. DILLON BELL said the Hon. the Attorney-General appeared to mistake the meaning of the motion. It was not intended to do away with the condensed returns at present published. These should still be presented early, but the details might also be published as before.

The Hon. Mr. WHITAKER.—You mean that there should be two publications?

The Hon. Sir F. DILLON BELL.—Yes.

Hon. Sir F. Dillon Bell

The Hon. Mr. WHITAKER.—Well, that will lead to more expense.

Motion agreed to.

RAILWAY TARIFF.

The Hon. Mr. G. BUCKLEY, in moving the motion standing in his name, said the management of the railways was at all times a matter of importance, but much more so at the present time, because the colony had at last arrived at that happy stage in its existence when the large sum that formed the difference between the profits from the railways and the charge for interest and sinking fund in respect of borrowed money could no longer be provided for out of land revenue, but would have to be provided for out of special taxation. As the Canterbury railways were the first made, and as they were the railways with which he was best acquainted, he would first of all refer to them. Until abolition of the provinces took place they were entirely under the management of the Provincial Government. The first difficulty experienced was to get the rates adjusted and fixed; and, after this was done, the difficulty of the Executive was in this direction: that the merchants, farmers, and others were constantly bringing influence to bear upon the Government to reduce the rates; and, in consequence of this, the rates were reduced from time to time until they were brought so low that a reaction took place, and the rates were then increased in the teeth of very great opposition. Of course, those in the habit of using the railways objected, and the Government was told that the traffic would be taken off the railways. However, the increase was made, and it made no difference whatever in the traffic returns. At that time there were several Committees appointed to look into the management of the railways; and he, as a member of one of those Committees, remembered that it was proved that, in several cases, the services for which 9d. was charged actually cost the Government 1s. in hard cash to render; and he knew the same thing was going on now. At the present time facilities were given to trade at a certain rate, in respect to which it was well known they cost the Government more than was received in payment. Since the abolition of the provinces took place the management of the railways had been in the hands of the General Government. He did not think any Committee had been appointed to inquire generally into the management of the railways and the rates charged, but he knew that the rates had been reduced nearly every year, and he had learned from the Attorney-General that it was in contemplation to make a still further reduction; the reason given being this: that, under the existing rates, the runholders, farmers, and others were considering the advisability of making arrangements outside the railway for the carriage of their wool, grain, &c. Well, that was just the same old story that had been heard for the last twelve years; but the fact was, it was all nonsense. Such an argument might apply in a few cases, but it did not apply to railway traffic generally. It might apply in a few solitary cases, where part of the distance could be traversed by railway and part

by road, or where there was competition by water. With reference to the present rates between Oamaru, Timaru, Lyttelton, and Dunedin, and the rates for water carriage, he held it was useless for the Government to attempt to fix rates with a view of competing with the water traffic between these places. It would be madness to attempt to do it, and it was well known that, unless goods traffic was profitable, railways were better without it. In a report recently made as to the working of lines at Home, it was stated that the lines which had the largest goods traffic were the lines that paid the least dividend; and the only way that fact was accounted for was, that a large portion of the goods traffic was carried on at a loss. The result was this: that the railways were worked entirely in the interests of those who used them, while the interests of those who had to pay by taxation for the working of them were entirely ignored. The rule of the department, in fixing the rates, appeared to be to fix them at sufficient to pay the working expenses and to leave no margin for profit. He contended that the rates on the best lines ought to be fixed at such a sum as would leave a profit on the working of the line of at least 3 or 4 per cent. Then, as to the expenses of management. No one could look through the accounts without noticing that the cost of management was very high. He supposed they could hardly expect greater economy in the Railway Department than could be exercised in any other department of the Government; but any one who looked through the accounts would see that very little economy was practised, and that in many cases three men were employed to do the work of two. In fact, there was extravagance everywhere, to say nothing of the petty jealousies which cropped up with respect to the erection of workshops at, say, Christchurch and Dunedin. If a workshop were put up in Christchurch, a larger one must be put up in Dunedin; and, as to Christchurch, he knew that in the putting up and pulling down of workshops there must have been fearful waste: and the colony had to pay for it all. When he saw telegrams passing backwards and forwards with respect to the erection of workshops in this place and the other place, he was inclined to think that, if they had a strong Government who could exercise an independent will in these matters, they would give one answer to the senders of all these telegrams, which would be to "mind their own business." He would next refer to the way in which the accounts were kept. There were no separate accounts kept of the repairs and renewals. The system at present in operation was to charge the repairs and renewals to the earnings as they occurred. Now, those who had had anything to do with railways knew that expenses of this character ought to be spread over a period of years. To charge all the repairs and renewals to any particular year would necessarily swallow up the greater proportion of the earnings. The result was, that the repairs and renewals were charged to working expenses up to a certain extent, but beyond that they were charged to capital account. He knew that to be the case, and he had no hesitation in saying so. When these accounts

were too heavy they were charged to capital account, and therefore the accounts under this head were quite unreliable. If the accounts for the last three years were taken up and each item charged under its proper head, it would be found that the railway lines, taken as a whole, had paid little over 1 per cent. He found it very difficult to get at the exact cost of the railways up to date, but he had taken out the figures as far as he could get at them, and he found that, up to the 30th June, 1878, the cost of the general railways and the value of the provincial railways which were taken over after the abolition of the provinces amounted in round numbers to nine millions of money. Speaking from the accounts which he had seen, he was sure he was below the mark when he said that a million and a half had been spent since then. So that it might fairly be said that up to the present time the railways had cost ten millions and a half of money. Then they had to calculate the interest on the whole of that, and sinking fund on part of it. He estimated that at 5½ per cent., which amounted to, say, £550,000. So that at the present moment they had a charge of £550,000 for interest and sinking fund on the cost of their railways alone. The estimated net earnings in 1877-78 were £222,000. The earnings for 1878-79 he estimated at £250,000, which he knew was an outside sum. So that, if they deducted £250,000 from the £550,000, there was a balance of £300,000 which was the amount of deficit they would have to make up by taxation during the present year. And this would increase every year unless the railways were made to pay better than they paid at present, and there was small probability of that, because they knew that the railways that were now in course of construction were not likely to pay like the best of those lines already constructed. In taking out the present expenses, he could not help recalling the proposals contained in the public works policy submitted to the Legislature by Sir Julius Vogel in 1870, and adopted in that year. If honorable members looked back they would see that in ten years it was proposed to spend eight and a half millions of money. For that they were to have a railway from Auckland to Wellington, Napier, and Taranaki. They were also to have a railway from Cook Strait to the West Coast and the Bluff. The cost was to be so much a year, and there were to be certain annual receipts, until, in the tenth year, the actual profit above interest and sinking fund was to be £25,000. Sir Julius Vogel said, "These railways must be no burden upon the colony;" and great stress was laid upon that point. Well, they had arrived at the ninth year: next year was the tenth; and in these nine years they had spent nearly eleven millions of money, the railways were far from complete, they would require five or six millions more to complete them; and yet they had heard the Colonial Treasurer say, on the previous evening, that every man, woman, and child in the colony was to be called upon to pay 15s. per head for these railways. They had now to face the reality, which was very different from what they were led to expect, and they had no one to blame but them-

selves. There was a great discussion in the Council in 1871, when it was proposed, under the Public Works Act of that year, that the different provinces should pay for their own railways; and a clause was inserted to the effect that where there was a deficiency it should be made up by direct taxation upon the district. Like many other proposals made in that Council, it came to nothing; but it was unfortunate that that proposal was not carried out. It might not be too late to do it now, and for his own part he would certainly like to see some such alteration. He would have liked to see the land-tax made special for that purpose, power being taken to raise an amount equal to the cost of working the line in each district. It would make people look after the railways when they got them, and in other cases they would not be so anxious to have new lines if they knew they would have to contribute to their maintenance should the traffic be insufficient for the purpose. He was quite sure some such proposal would have to be made when they came to equalize their taxation. He had made a short comparison of the results in the other colonies, and he must say that they were most unfavourable to us. In New South Wales the rates for carriage were kept up, and all the railways paid over 4 per cent. They had borrowed their money at $4\frac{1}{2}$ per cent. In Victoria, where the rates were much lower, the railways paid 3 per cent., but they were considering there whether the rates should not be increased. A few months ago a deputation of farmers from the country, merchants, and others, waited upon the Government of that colony and asked them to reduce the rates. And the reply was that instead of reducing them it was intended to increase them, and the Government plainly intimated to the deputation that in future they would work the railways as if they belonged to a private company, and that they looked upon the whole of the people of the colony as the shareholders. He would like to see the same thing done here. He moved the motion with the view of ventilating the subject. It was a very important subject, and would increase in importance every year. He was justified in saying that the present rates were too low: that they were fixed in the interest of those who used the railways, and that they should be increased. The management was extravagant: there was no attempt at economy, and the accounts kept as to the net earnings were perfectly unreliable. The railways in this colony were extending so greatly now that they were becoming a great power in the hands of any Government, and to the economical management of these railways they must in future look for any reduction of the burden of taxation from year to year. He looked upon these railways as one of the greatest difficulties the colony would have in the future to contend with, and he should not be at all surprised if, in the course of a few years, some proposal were made to keep them separate from the Government, and place them under the charge of a Railway Board directly responsible to Parliament.

Motion made, and question proposed, "That it is desirable that this Council should be in-

Hon. Mr. G. Buckley

formed whether the Government will take into consideration the present tariff of charges on the railways, with the view of increasing the rates, so as to make the working of the several lines realize a fair profit, or at least contribute their full share of receipts in aid of the revenues of the colony."—(*Hon. Mr. G. Buckley.*)

The Hon. Colonel BRETT was surprised—in deed, grieved—at the speech of his honorable friend. Some years ago the honorable gentleman was the owner of a very large sheep station, and had some hundreds of thousands of sheep to shear: he also cultivated, he believed, many hundreds of acres of land. But, now, he (Colonel Brett) did not believe the honorable gentleman had a solitary acre of land in the country, and, of course, he had now no produce to be carted. His (Colonel Brett's) opinion was that the railway charges were higher than the runholders and farmers could afford to pay. That was the complaint all over his district. The freight on everything was too high. Even a bottle of medicine was charged from 2s. to 2s. 6d. for a distance of eight or ten miles. The passenger charges also exceeded those of any other country in the world. He trusted the Council would pause before they consented to the motion. It was a one-sided view altogether, and, he was sorry to say, a very selfish one. He was surprised that it should emanate from such a liberal mind and broad expansive brow as his honorable friend had. He had not words sufficient to express his indignation at what had emanated from his honorable friend. He saw many runholders around him, and gentlemen with large properties, who cultivated and sent to market yearly four thousand, five thousand, and ten thousand bushels of different cereals. He asked them to stand up and raise their voices against this motion. He was sure they would show that his honorable friend was not justified in holding the views he had enunciated.

The Hon. Mr. WHITAKER said there were many opinions stated by the Hon. Mr. Buckley with which he entirely concurred. In the first place, he admitted that the railways should be made to pay, if possible, a much larger amount than they did at present. Whether that could be done by increasing or decreasing the charges he did not know; but they heard complaints from time to time from different parts of the colony that the charges were very high, and that, if they were reduced, the traffic would be greater and the railways would make more profit. He had no special knowledge of this particular subject, but he argued that, in the present state of things, the railways ought, if possible, to be made to pay interest on their cost. But he did not agree that it was clear that this would always be accomplished by increasing rates. It frequently happened, in such matters, that if they increased the rates they decreased the receipts and profits. At present this matter was specially under the consideration of his honorable friend the Minister for Public Works, with the object of adding something to the receipts of the railways. The new rates would be published in a few days. His honorable friend had gone into a number of other matters, such as expenditure on

the railways, the mode of keeping the accounts, &c., which were not included in the motion, and with which, therefore, he had not had an opportunity of making himself acquainted. Therefore he was not able to give him any answer as to whether the accounts were properly kept or not. The honorable member said that, if there was a deficiency between the receipts of a railway and interest on cost of its construction, that would be a fair charge against the particular district benefited by the railway. He (Mr. Whitaker) thought that was a fair principle. It was provided in one of the early Acts, but it had apparently been forgotten. Whether or not it could now be brought into operation he did not know. There were many advantages that would come out of it. One advantage would be, that districts would not ask for railways unless they saw that the lines would probably pay. They would be more careful in asking for railways than they were at the present time. As far as the motion went, he did not know that any advantage would arise from passing it. The matter was under consideration, and the honorable gentleman might withdraw it until he saw what the department would do. When the new tariff of charges was published he would again have an opportunity of bringing the matter under consideration. He would therefore ask the honorable member to withdraw the motion; but, if that were not done, he would not oppose it further.

The Hon. Mr. WATERHOUSE trusted that, if the Hon. Mr. Buckley did not withdraw his motion, he would at any rate introduce such a change into its wording as would enable the Council to pass it without at the same time binding itself too closely to any decided expression of opinion. He thought his honorable friend was under some mistake as regarded the course of policy that it was most desirable to adopt with the view of making the railways pay. The course indicated by the Hon. the Attorney-General as that under contemplation by the Government was more calculated to effect the object in view than this motion. The honorable gentleman compared the railways here with the railways in England, and told them truly that it was the passenger traffic rather than the goods traffic that caused the railways to pay. But our circumstances were different from those of England, and if they wanted to consider railways under somewhat similar circumstances they must not go to England, but to America. There, undoubtedly, it was the goods traffic that caused the railways to pay, and it was the goods traffic that the railway managers laid themselves out most to cultivate. That brought him to the point stated by the Hon. the Attorney-General, that he believed they would gain more by a reduction of the rates than by any increase. By increasing the rates they might reduce the traffic, and thus get no benefit; whereas by decreasing the rates they might so increase the traffic as to more than compensate for the apparent loss, and in that way bring about a gain. When in America he was very much struck by the low rates at which goods were carried by the railways. When passing through the last time, he stayed at

an important and rising town in the State of Iowa, where he had a relative residing. He inquired what was the price of timber there, and how far they brought the timber to market. He was told that the price of sawn timber was 6s. 6d. per hundred, and, to his astonishment, he was told that it was brought no less a distance than two hundred miles, a portion of that distance by water and a considerable portion by land. That was an illustration of the very low rates at which traffic was carried in America. They had only to look through the Chicago papers and they would see it stated that the cost of carrying wheat 1,200 miles—between Chicago and New York—was only 1s. per bushel. With those very low rates the railways paid, and with those very low rates the country was opened up and traffic made; whereas if the rates were not low the country would not be opened up, and there would not be any traffic at all for those railways. Their true policy was to reduce the rates as far as they could consistently with a view to enabling the country to be opened up, and with a view to producing the traffic that would enable those railways to be worked advantageously. He did not say that some items even now might not with advantage be raised. If honorable members looked through the tariff he thought they would arrive at the same conclusion that he had come to, that there were some items that might with advantage be raised, while, on the other hand, many items might be reduced with advantage. He was now altogether disconnected personally with any railway traffic, and therefore whatever he might say upon the subject could be regarded as the evidence of an impartial man, unbiassed by his own interest. When he was more immediately interested in the matter, he looked into the subject for himself, with a view to ascertaining to what extent he, as a wool-grower at the Wairarapa, benefited from the opening of the railway to Featherston. He found that the railway charges—upon wool, at any rate—were very considerable, and that he personally gained nothing whatever by the opening of that railway beyond the convenience of being able to send wool quicker to market than would otherwise be the case. He therefore came to the conclusion that it would be to his advantage to continue to send his wool to market by the railway provided he had no return goods; but that, if he had return goods, it would still be to his advantage to send his own teams to town, as he was in the habit of doing. If he had not sold his property there, he intended to use the railway only when he had no return goods from town. His inference from that fact was that the tariff, as regarded some descriptions of goods, was rather unduly high, and that it would be for the advantage of the railway itself to reduce the tariff, so as under all circumstances to command the traffic. He thought his honorable friend would do well, if he pressed the motion, to strike out the words "with the view of increasing the rates." He would thus bring the subject formally under the notice of the Government, and perhaps, after consideration of the whole subject, they might find that some rates could be raised with advantage, while others might be

lowered with equal advantage. The subject of railways was a very important one, and it was brought forward by his honorable friend now under the conviction that they were not getting an adequate return from the railways that they had created, and that the expectations by which they were led to commence this system had not been fully realized. They could not hide from themselves the fact that their railways were not, at the present time, realizing the expectations entertained with regard to them, and it really seemed that the railways left a heavy burden on their finances. They could not help asking the question, If such was the case with the eleven hundred miles of railway they had at the present time, what it would be with the other thousand miles which they thought of opening up? If the eleven hundred miles of railway which might be regarded as the main lines of railway were not working satisfactorily, how could they expect that the thousand miles of branch railways which were to be opened up could bear the burden of opening them and of their construction? It appeared to him that it was a serious matter for consideration, and one to which they should not shut their eyes, but should apply themselves earnestly, with the view of seeing how far they could remedy the mistakes that had been made with regard to the railways. Could they hide from themselves for one moment the fact that the colony at large had been railway-mad? It had been forcing on the construction of railways irrespective of all considerations but those of local interests. The interests of the colony at large had been to a great extent subservient to the interests of particular localities. If the colony, with 440,000 inhabitants, was unable to support the railways already constructed, what would be the case when a thousand additional miles were constructed, and when there would be one mile of railway for every 250 inhabitants? Was it likely that 250 inhabitants could keep a mile of railway going? Their losses were great now, but their losses would be greater hereafter. If the taxation under which they suffered was great now, when the additional thousand miles of railway were opened the taxation would be greatly increased. It was worthy of consideration whether they should not act the part of wise men, and reconsider their position, and see whether these were railways that they could do without. They should put their foot down decidedly, and determine that they should propose no further railways. It was a very serious subject indeed, and he was glad that his honorable friend had directed the attention of honorable members to it. It was one to which he hoped the attention of the Government and the country at large would be earnestly addressed.

The Hon. Captain FRASER said it was his intention at one time to move, in the Council, "That it be an instruction to the Railway Inquiry Committee to consider the question of the railway tariff." He was now glad that he had not done so, as any person who read the evidence taken by that Committee would rise from the perusal with the conviction that we had been leaning on a broken reed when we trusted

to the Audit Department. We are conducting a large traffic in utter ignorance of its commercial conditions. One part of the traffic is fairly lucrative; the mixed traffic does not pay; and one part of the traffic which, from its nature, could be carried cheaper by water, is carried by rail at a positive loss. What we require are thorough, independent audited accounts of the cost at which our railways are worked, fed, and maintained. It is not too late to know what we are doing. Should we delay doing so, the knowledge may be dearly bought.

The Hon. Mr. WOOD thought there were one or two matters which deserved consideration in connection with this railway speculation as a financial success or otherwise. He referred to the settling-down of small farmers or agriculturists in the immediate vicinity of the main trunk railways, or any other railways that were constructed by public money. It had been said by honorable gentlemen that the trunk lines had not been remunerative. He could easily imagine that in a country like this these lines would scarcely be remunerative at present, and that they would perhaps not be so for some time to come. He thought that would be remedied by reducing the charge per bushel of grain and other commodities that had to go over the railways. The reduction of the charges would tend materially to increase the traffic on those lines. He had looked into this matter carefully some twelve months back, and collected a good deal of evidence in reference to it. He ascertained that the railway charges were very much higher than in America, both for passengers and for merchandise of every description. He also arrived at the conclusion that the rates for passenger traffic were on a more liberal scale in the Colony of Victoria—far more liberal than in New Zealand. The railways in that colony were working more successfully than the railways in this colony. There was one thing in connection with the tariff with which he was very much struck, and which he thought deserved attention. He had drawn attention to it on one or two occasions. He believed that the Railway Department had regulated the goods traffic in such a manner as this: that there should be a certain charge for so many miles, and an additional charge, equal to that amount, for so many additional miles. For instance, from Port Chalmers to Dunedin the charge was so much per ton, and the distance was nine miles. At the time he referred to, the charge from Port Chalmers to Dunedin was about 5s. per ton, which included the cost of loading and unloading. He supposed the half of that amount would be the cost of handling the goods, and that a very small proportion would be the cost of simply conveying the goods by railway. Then, he looked at the charge for conveying goods from the Bluff to Invercargill, which was close on double the distance. Honorable gentlemen would bear in mind that there would be no more handling in this case than in the other, and there would be no more handling if the distance had been one hundred or one hundred and fifty miles; and yet the charge per ton for less than double the distance was rather more than double. See-

Hon. Mr. Waterhouse

ing that the charge for handling had been added again, he spoke to Mr. Conyers about it, but that gentleman would not admit that that was the principle acted upon. He looked at the tariff for increased distances, and he found that the charge for handling had been added for every seven, or eight, or nine miles. There seemed to him to be something wrong in the system by which these charges had been arrived at. He had been away from the country for some ten months, and had not had an opportunity of comparing the charges since his return. He thought there was an injustice in such a system of charges, and that it was very much calculated to check the progress of infant settlements. He thought it was a matter well deserving of attention, and he hoped it would not escape the notice of those gentlemen whose duty it was to consider the railway charges, and especially those charges levied for the conveyance of merchandise.

The Hon. Mr. WILLIAMSON thought if the Council accepted this motion the result would be injurious to the railway traffic. If the railway system was calculated to do good to the country by facilitating the opening-up of new settlements, that object could only be gained by making the railway charges as light as possible. Where the charges were too high they prevented those settlements from coming into existence at all. He was connected with a coal mine in the Waikato which might be made to afford a considerable return to the railway running there by giving at all times freight back to town when it might only carry passengers up. As well as he could recollect, the charge was 1½d. per ton per mile, including station fees, which made the charge 8s. 11d. per ton for a distance of sixty miles. From inquiries he had made in the Old Country he found that in many instances coal, particularly where it was carried in competition with water carriage, was carried at ¼d. per ton per mile. Coal was often found in such positions that the handling frequently required was more costly than the carriage of it. There was another feature in the matter which was not generally looked at; at all events it had not been referred to by any honorable gentleman who had spoken on the subject. The railway was not the property of a private company; it was the property of the people; and if there was a loss the people must be the gainers. He did not think that those who used the railway, either to carry commodities or to carry themselves, were the only persons benefited. They were all working in the interest of the community at large, and if produce could be brought cheaper to the market the whole community would be benefited by it. They often heard the remark made that such-and-such a person's land had been materially enhanced in value by a railway running through it or near it; but if it had not been considered that the community at large would be benefited by cheapening the carrying of produce, the railway would never have been made. The railway was not made for individual convenience, but for the convenience of the public generally. With regard to the coal mine he spoke of, he might say that the quantity of coal was so considerable in extent that not only

the Auckland District, but the whole of New Zealand, could be supplied from it. According to Captain Hutton's estimate, the quantity of coal contained in that mine was perfectly unlimited. He thought eight hundred millions of tons was the estimate; and they found that, in competition with the coal trade from Australia, the coal required to be delivered to the public at a much lower cost in order to bring it into general use. The owners of the mine had been working it for the last two or three years at a loss for the purpose of getting the coal into general consumption; and he thought this was one thing which ought to be before the mind of those who had charge of the railways. They ought always to look to the creating of traffic that would make these railways remunerative. His own opinion, when the scheme was first started, was that the Government should undertake nothing but the trunk lines of railway—that they ought never to make any but trunk lines; and the only reason for his thinking so was, that the making of a trunk line was a speculation which would not pay private individuals, but would benefit the country. He thought that the only thing which justified the Government in making these trunk lines of railway was, that it would have been found, when the trunk lines of railway were completed, that private enterprise would have made such branch lines as were likely to be beneficial to the country and profitable to the promoters.

The hour of four o'clock having arrived, the Council proceeded to the Orders of the day.

TRIENNIAL PARLIAMENTS BILL.

The Hon. Mr. WHITAKER.—Sir, in moving the second reading of this Bill, I am sure it will be in the recollection of honorable members that a great deal of discussion has lately taken place on this subject of triennial Parliaments. It appears to me, Sir, that a great deal has been said on both sides of the question, though more particularly on the side in favour of triennial Parliaments. In my opinion, Sir, the results will justify neither what the one nor what the other side expect. I do not believe the Bill will confer all the advantages which are expected to result from it, and I am quite sure many of the evils predicted will not present themselves either. No doubt it has been considered that this is what is called a very liberal measure. I am not sure that it is a very liberal measure; because, as regards elections, no doubt the frequency of elections, and the attendant expense, will deter people who have not sufficient money to meet the election expenses from standing as candidates, and therefore it will limit the number of candidates who will be brought forward. On one side, Sir, it is stated that this Bill will lessen the independence of members, that it will waste time, and cost more money. I do not think the change proposed will limit the independence of members. As to wasting time, I think that is very likely to result, inasmuch as new members, as a matter of course, will be new to their work, and will not get as successfully through it as members who are more experienced; and the cost to the

country will be considerable, because, whatever Bills we may pass to secure purity of elections, there will be money spent. I do not think it possible to put an end to that. I think it should be put an end to as far as possible; but I am quite sure it cannot altogether be put an end to. As regards the cost to the country in another way, I may say that during the time of elections some very hard labour—I speak from experience—is spent in election matters; unremunerative labour, that might be spent with advantage in many other ways. In the meantime it is expected that very great advantages will result from this measure. I think there are certain advantages, and sufficient advantages to induce us to pass this Bill; but that not all the advantages will result which are expected by many people. I am not a recent convert to the principle of triennial Parliaments. Upon many occasions I have advocated it before my constituents; and recently in the Waikato, in 1876, 1877, and 1878, I told them what I have now stated to the House, that, although I was in favour of it, and thought more advantages than disadvantages would result from it, still they must not expect all the benefits promised by those who are the most strenuous advocates of the measure. In dealing with the measure we look round and see what benefit we can derive from experience. The longest Parliaments are those in England, which now last for seven years. It is only since a comparatively recent date that they have been for seven years. They used to be for three years, but in the time of George I., I believe, there were certain circumstances that appeared to render it advisable that members should not go so often to their constituents; and the time was extended to seven years. The Septennial Act was then intended to be only a temporary measure. That is the longest term of any Legislature throughout the world. The shortest term is the American. That is for one year. When the New Zealand Constitution Act was passed, an intermediate term was fixed: it was fixed neither at seven years nor at one year, but at five. In looking at other countries, I find that the general rule is from three to four years. In the colonies immediately round about here—in the Australian Colonies—the time is mostly three years, except in the case of Queensland, where it is five. As a rule, however, I think three years is considered a fair and reasonable time. Now, Sir, I think it may be asked, if there is so small an advantage in this, why should we pass this measure? I think there are very good and sufficient reasons why it should be passed. In the first place, it will bring members more in unison with their constituents. That is an advantage. Looking at the constantly-increasing population, if we were to put off the elections for too long a time a great many people would be disfranchised. I think also, Sir, that in looking round we see that the people—I may say as a rule—I think almost universally so—are in favour of the change. At the elections which recently took place this question of triennial Parliaments was raised, and the question has always been raised and received as part of what is called the Liberal

Hon. Mr. Whitaker

programme. I think, therefore, that the country has come to that position in which it is required that this change should be made. We have also seen in the House of Representatives, just newly returned, just come from the country, and in this their first session, that they have unanimously passed this Bill. We may fairly assume that the representatives of the people and the people themselves are in favour of it; and this is a question which I conceive the Council is not particularly interested in. It appears to me, looking at the feeling on the part of the country and its representatives, that it is not for the Council to stand in the way of doing that which they desire. If gentlemen of the House of Representatives are so particularly desirous of going back to their constituents at the end of three years, I think it is a luxury the Council should allow. I have nothing further to say than that I hope the Council will deal with this question in a liberal spirit, and pass this Bill without any serious opposition. It appears on all sides desirable the Bill should be passed, and I hope the Council will take the view I take of it. I beg to move that the Bill be now read a second time.

The Hon. Colonel BRETT.—I should like to ask my honorable and learned friend a question. If the 28th February is to be the date when the three years expire, I consider that rather hard. I should amend that clause by inserting the words, "to expire at the end of three years from the return of the writs." I think it would be fairer.

The Hon. Mr. WHITAKER.—That can be moved when the Bill is in Committee.

The Hon. Colonel BRETT.—If the honorable gentleman has no objection to that, I shall give the Bill my support. I merely mention that.

The Hon. Mr. WATERHOUSE.—It is my intention to support the second reading of this Bill; and I shall do so pretty generally for the reasons assigned by the Attorney-General. Like him, I believe that the advantages and disadvantages of this measure are pretty equally balanced, and were I left to decide for myself I should feel considerable difficulty in making up my mind as to what was the best course to be followed. I believe there are very considerable advantages in members of Parliament having a more lengthened parliamentary experience than that which is afforded by a three years' tenure of office. My experience has been, that during the first year of the sitting of Parliament the new members are seldom equal to their position, owing to their ignorance of the particular duties which they are called upon to perform. During the second year they generally apply themselves pretty closely to the work of legislation. But during the third year, as a rule, they apply themselves to speaking on behalf of their constituents; and during that year there is seldom much more than local business transacted. Now, with triennial Parliaments we shall only have one year of real parliamentary work as against the three years which we have under the quinquennial system. But, on the other hand, I think there is an advantage arising from members being occasionally, and more frequently than is the practice at the present

time, brought into contact with their constituents. Such a change, however, would not be requisite if the English practice existed here of members upon their appointment to the Ministry being relegated to their constituencies. That would give Ministers and Parliament an opportunity of knowing what were the opinions of their constituents upon the leading topics of the policy of the day. That plan not being in existence in the colony, I am rather inclined to think there would be an advantage in reducing the period of the duration of Parliaments from five to three years. What, however, has mainly decided me to record my vote in favour of the Bill is the undoubted fact that the constituencies generally have recorded their opinion in favour of a change in the period of the duration of Parliaments; and, this having been a subject brought so prominently before the attention of the constituencies at the recent general election, I shall find it my duty, in accordance with the course that I shall be found taking on almost all similar occasions, to vote in favour of the Bill. I might, however, be allowed to state that I think it would perhaps have been an advantage if the Triennial Parliaments Bill had been held over until we had received the Triennial Legislative Council Bill, when we could have considered the two Bills upon their own merits. I shall simply say, before sitting down, that it is my intention to record my vote in favour of the Bill; that on this subject I am capable of rising to any height of patriotism, and, if necessary, I am prepared on behalf of the country to shed the last drop of my brother's blood, feeling it a source of satisfaction that the existence of the Legislative Council is by no means in danger by passing this Bill, and that the short tenure of existence that I am asked to grant to the other branch of the Legislature is not asked to be applied to this Council.

The Hon. Mr. REYNOLDS.—I shall oppose the second reading of this Bill. I do not believe for a single moment that it is wanted by a third, a fourth, or a fifth of the constituencies of the colony. I think the cry has been merely got up, along with a great deal more that was said at the late elections about a liberal policy, for party purposes. I hold that it is not a liberal policy—that it will have the very opposite effect to that of a liberal policy. Why, Sir, supposing this Bill is passed, and we have elections every three years, it will be almost impossible for any but very wealthy men to contest elections. We know perfectly well that elections are now becoming very costly; that members have to travel over very large districts, and that the mere expense of travelling forms a very considerable item in the cost of a contested election. If elections take place every three years, the cost to candidates and the colony will be considerable, and candidates will be kept almost continually travelling about to secure their return. I think we in this Council are in a far better position to judge as to whether it is advisable to have triennial Parliaments than the other branch of the Legislature, many of the members of which no doubt at the late elections hastily assented to the principle. There is no doubt that at the recent elec-

tions this was held out as a great liberal measure that ought to be passed; but, nevertheless, I believe that a large majority of the electors—those who have given the subject full consideration—are thoroughly opposed to it. I should be the last to wish to interfere with matters connected exclusively with the other Chamber, and would only do so when I was convinced, as in this case, that the proposal would, if carried out, prove a great public calamity. Besides, triennial elections will involve a very considerably increased outlay. I would like the Attorney-General, when replying, to be good enough to state what the late general election cost the colony. I have had twenty-six years' experience, and have "gone through the mill." For twenty-four years I was elected a representative of the people, either in the Provincial Council or in the General Assembly, and I have seen the effect of new members coming into a legislative body. The first session they are useless; the second session they are just commencing to pick up a knowledge of their duties; and if, after the third session, they are to go to the country, the result will be that they will have to speak to their constituents through *Hansard*, with a view to being returned again. Hitherto the Parliaments have seldom lasted beyond four sessions, and I think it is far better to leave matters as they are at present. As far as I am concerned, I am thoroughly opposed to the Bill, although, having paired with the Hon. Colonel Whitmore, I shall not be able to vote against it on this occasion.

The Hon. Sir F. DILLON BELL.—I think the Council will probably feel some little regret that, on the occasion of the discussion of the first of the measures which were to illustrate the "grand liberal policy" of the late Government, we should not have the advantage of the advocacy of the honorable and gallant Colonel Whitmore, whose duty and peculiar privilege it would have been to show the Council the advantages to be gained by such a measure as this, and the claims which it may have to be called a truly liberal and progressive measure. For my own part, I regard the absence of the honorable and gallant gentleman with a peculiar regret, because, having watched his political career for so many years, and having seen the great pride with which he took occasion, on the formation of the Government of which he was a member, to declare that the Government was a conservative one, not intending in any way to change any of the fundamental principles of the Constitution, it would have been a matter of very great gratification to me to have heard why the conservative opinions which I always thought the honorable and gallant gentleman held in common with me, and which he took such pains to enforce while in opposition in this Council, had so suddenly taken so opposite a turn. And I should like particularly to have heard from him, with reference to the Triennial Legislative Council Bill which was introduced the other day into the House of Representatives by the honorable gentleman who was at the head of the late Government, how it came to be proposed by Sir George Grey when in opposition—for of course it cannot be supposed that a measure of

that sort had not been considered fully in all its bearings by the late Government during the time it held office—and why it did not also form one of the cardinal measures in the grand liberal policy which the late Government enunciated at the beginning of last session. It is ever, Sir, the peculiar function of the second Chamber in any Legislature to restrain hasty legislation upon any revolutionary proposals which may be made; and therefore I do not think that the House of Representatives would have any reason to complain that the Legislative Council were interfering with its right to determine such subjects itself, if we said on the present occasion that we should like to see the country take a little more time before pledging itself to so great and radical a change. I should therefore have been very glad if there had been an opportunity of recording my own vote in the sense in which I propose to address a few observations to the Council. But I acknowledge at once that the extremely moderate and conciliatory speech with which the Attorney-General introduced this measure will probably go far, as it ought, towards reconciling such differences of opinion as exist in the Council, and, at any rate, inducing members to refrain from dividing in opposition to the measure, or from doing anything which might be held to be embarrassing to the Government; for I allow it must always be a very great embarrassment to any Government to take up, in the way the present Government has done, the policy and the measures of its predecessors in office. It cannot be supposed that it will often happen, and it certainly does not happen in this instance, that the country can place any very great reliance upon the faith which the Government has in the “liberal” measures of its predecessors. This is all the more apparent, because we may say to ourselves—and the cheers which followed some allusion to the subject just now showed pretty plainly the view which honorable members in this Council entertain with regard to the matter—that, although the House of Representatives have passed this measure, we know very well that only a very small proportion of the members of that House believe in it. Many members of the House of Representatives would not be at all sorry if an opportunity were given to the country to reconsider the position in which the Bill should stand this session. But the opinion of the Government being so decidedly to the effect that it will be better to pass this Bill, I shall content myself by stating in as few words as possible the reasons why I think it is fundamentally wrong. The true reason for triennial Parliaments was succinctly put by the Attorney-General of the Grey Ministry, who preceded my honorable friend opposite in the office he now holds, when the Triennial Parliaments Bill was brought before the House last year; and it is because the opinions then expressed by Mr. Stout carry us to the core of the agitation in favour of this Bill which was got up all over the country, that I should like to quote his words:—

“As to the question of delegation or representation, I do not think there is much in that, because I find, in all Parliaments—this Parliament, of

Hon. Sir F. Dillon Bell

course, included—that there is a danger of members being swayed by certain cliques which, when any measure affecting their interests is proposed, get up an agitation. I believe that if we had more frequent references to the people, and less to the powerful interests in the colony, we should have far better legislation than we now have.”

There lies the whole secret of the agitation of a measure like this. It is the belief which admittedly exists in the minds of the leaders of liberal opinion in this country, as it exists in the minds of the leaders of liberal opinion wherever this measure has been advocated, that there is no difference between delegation and representation. That is their whole case. But the Council will allow me to read a few words on the other side, so tersely put that it expresses my views better than I could express them myself. This is what Mr. Gisborne said:—

“I certainly cannot agree with the Attorney-General (Mr. Stout) that the distinction between representation and delegation is a matter of no moment. Representation is the keystone of the English Constitution. The principle is, that a member of Parliament should be the representative of the whole people, and not merely the delegate of a district: and it is the observance of that principle which is most conducive to the freedom of the people, because there is not only a tyranny of monarchs to be dreaded, there is also to be dreaded the tyranny of mobs. At times the demagogue is even more to be dreaded than the despot: and the very essence of the Constitution is to impose such a check that we shall not fall into either extreme. If we wish our Parliament to represent the people, we must preserve that principle, which has been the cause of the British Constitution being not only the glory of the world, but the truest guardian of public liberty.”

There lies the root of my objection to this proposal. Wherever you have had triennial Parliaments established, and in America, where you have the biennial system, you have had a signal proof that the principle of delegation—which I do not deny has its advantages in some public bodies—strikes at the root of parliamentary government and responsible government. The Hon. Mr. Waterhouse has called attention to the undesirableness, in a country like this, of compelling members to go too often to their constituents. In a country like Australia, where there are large metropolitan cities, and where public business is directed, regulated, and changed from the centres of population, there may be advantages in the system; and there may be advantages even in a country like the American States, in a frequent relegation of members to their constituents: but it is not so here, where the mode in which the various settlements were founded, the character of the people, the diversity of their wants, the peculiarity of their relations to each other in so many instances, and, above all, the present and certainly future want of a metropolitan city—for we shall never see that in New Zealand—have made it impossible for anything like a settled public opinion to exist in the country. What now most strikes members when

they first enter the House of Representatives? It is the ignorance which exists among themselves of the wants and requirements of any part of the colony except the particular part embraced in the constituency they represent. It is seldom that members meet together at any other time; they have little in common with each other; and I believe if you adopt this Bill you will make it more difficult than it is now for members of the House of Representatives to make themselves acquainted with the wants of the country at large. I dearly value, Sir, all that is included in the system of parliamentary and responsible government. I believe members have a high function in it, and a solemn duty, which can only be properly performed when no fear of their constituents fills the minds of the representatives of the people. If you make members feel that they have very little freedom, that they have no time for study, that from the very day they enter upon their duty down to the last day they will be under the lash of agitators and demagogues who must always lead, and may sometimes properly lead, public opinion in their districts, you will find that you will kill true political life, and that the New Zealand Parliament will sink to the same level as parliamentary life has sunk to in the Australian group. I know of nothing more interesting than the expressions of opinion from travellers who have first come to New Zealand and then visited the other colonies, or who have gone to Australia and then visited New Zealand, and who have heard the debates in the several Parliaments. I have had the advantage of discussing this with a great number of travellers, and I do not remember a single case in which they did not allow that the tone, temper, and character of the debates in the New Zealand Parliament created a very favourable opinion in their minds as compared with the tone, temper, and character of the discussions in the Parliaments of the other colonies. For my own part I have always attributed the difference chiefly to the fact that we have had problems to deal with calling for the exercise of more statesmanship, and that the subjects which are discussed in the Parliaments of Australia are of a more municipal character than those which we have to do with in this Parliament: but it must also be attributed, I think, to the freedom from responsibility to the constituents, and a power of exercising an independent judgment, which a five years' tenure of office has given to our members. If we are to have good laws, we must give members of the House of Representatives a sufficient time for study of the things which lie at the source of all wise legislation in every community. I believe that by passing this Bill you will destroy that. You will have a system in which the demagogue of the day will hold a power he has never yet possessed. Instead of considering the subjects which are before the House with patient care, you will see the same course of hurried legislation and thoughtless action, examples of which we have before us in the Parliaments of other colonies. I firmly believe you will bring down the House of Representatives to a much lower tone than it has now. You will do no possible service

to the constituencies who are eagerly asking for this change. I say, eagerly asking; but I say, without fear of contradiction, that they do not know the measure they are asking for, and do not care whether it is granted or not. The agitation that has been allowed to spring up has arisen from the constituencies being assured so often that they would be able to take a larger and more intelligent part in the legislation of the country if they were only allowed to return members more frequently than in the past. But, on the contrary, I say they will take a less intelligent part: the patient deliberation on the part of the people which is most necessary in the choice of representatives in Parliament will be lost, and the only thing which will be seen at the hustings will be the success of those who appeal to the passions of the mob, instead of to the intelligence and good sense of the people. I look upon the question of expense as comparatively of secondary consideration. Yet it is a thing not to be lightly considered when we know that in the election which has just taken place not less than £80,000 was squandered. In constituency after constituency many a candidate must have spent from £500 to £1,000, whether he won or lost his election. This often-recurring charge will tend not only to discourage candidates and limit the choice of the electors, as the Hon. the Attorney-General himself admitted, but, so far from multiplying candidates of the liberal class, who will represent more clearly the people themselves, the certain effect will be to place the representation in the hands either of reckless demagogues trading upon the passions of the electors, or in the hands of the rich man whose money will buy his votes. In vain will you pass Bribery Acts, in vain will you pass Disqualification Acts, to purify the Parliament. There is only one means by which you can make your Parliament pure and wise, and that is, by sending members to it who are independent of the passions and fickle changes of the day, and by allowing them a reasonable time to learn for themselves what is the true and high function of legislation. And, although I am not going to offer any opposition to the Bill, I could not allow it to go through without recording my conviction that, instead of its being a liberal measure, it is on the contrary a retrogressive one; and that, instead of its being advantageous to public life, it will lead to a deterioration of it, and to a diminution of that interest in public affairs and that devotion to the public welfare which have hitherto distinguished our public men.

The Hon. Dr. GRACE.—Sir, it appears to me that the essence of good sense on the part of a third party is to know when he can judiciously interfere between the principals in a matter in dispute. It is never wise, we know, to interfere between man and wife, and, as in this case the constituencies represent the man and the House of Representatives the wife, and they have settled the matter between them, we cannot judiciously interfere. It is on that account I do not intend to offer any opposition to this measure. For my own part I think, if bodies politic are to have severe ailments, it is just as well that they

should get them when they are young. Apparently we are bound to catch all the ailments possible to bodies politic, and it is better that we should have them in our pristine youth. I have no doubt we shall recover from them. I have no doubt that the passage of this Bill by the House of Representatives was an act of folly, and I have also little doubt that the good sense of the country is so great that that act of folly will be repaired by the repeal of the Bill within the course of the next five years. The Bill is simply the product of the vicious activity of our late Premier, Sir George Grey, and is passed in the interests of the publicans and the Press. Well, Sir, since the state of our society is so abnormally bad as to allow the publicans and the Press to predominate in the direction of legislation affecting the Constitution, society must be left to regulate these matters by such laws as will repair the loss it has entailed upon itself. After all, nothing is so important as that we should settle the trumpery agitation of the hour. This spurious Liberal agitation has to be laid, for until we have laid this particular devil we shall not have any proper leisure to devote to the ordinary administration of the affairs of government. There is a large proportion of people in the colony who take no really sound interest in public affairs, and unless you burst the bubble of the time you cannot expect to be able to devote your attention to the business of the day. We must concentrate our energies upon the business of the day, and in order to do so we must accept those collateral miseries which the passing of certain Bills entails. My own opinion is that the colony will survive these political errors. Anybody who is competent to think or to reason upon the matter must see that a triennial Parliament is politically of no advantage to the country, seeing that at any moment the Governor of the colony can grant a dissolution, and seeing that the Governor of the colony may grant a dissolution at a time when the common sense of the public in general is distinctly against the policy of such a course. Seeing that we have an outside judge—an august person who is perfectly impartial, and who, as a rule, does not care in the least about the fever of the moment—to decide whether a Parliament has endured long enough or not, no necessity can exist for a Triennial Parliaments Bill. We could not have a stronger evidence of that fact than the dissolution which was granted by His Excellency Sir Hercules Robinson, contrary to the expectation of the shrewdest politicians on both sides of this House. It may be that their view was an inaccurate view. If so, it only shows that the exercise of such a power by such an authority is strong evidence of the absence of necessity for a measure of this kind. There is no doubt, further, that there is an infinity of force in the contention that the essence of our Constitution is involved in the fact that members of Parliament are not delegates, and that, in order to correct the danger of their not being delegates, a power is placed in the hands of the Governor of granting a dissolution. There is seen the true poise and counterpoise of the British Constitution. I do not think we shall see

Hon. Dr. Grace

this country endanger the principle of the Constitution as the result of the adoption of any measure of this kind. I do not think it will, because I always rely with confidence on the good sense of the people, and I do so because in this country we have not any large city population. It is to the common sense, the conservative feeling, of the agricultural people that we have to look for the safety of the colony; and to their good sense we look for the remedying of the evils of hasty legislation. Briefly, I accept the measure because, at this period, I think it is a wise thing to allay all dissensions. I accept it, furthermore, because it is absolutely necessary for us just now to afford no reason to another branch of the Legislature or to the colony in general to turn away its attention from the financial position of the colony, which requires the concentrated attention of all its people.

The Hon. Mr. MENZIES.—Several members have expressed their strong dislike to this Bill, and in somewhat severe terms; but I am unable to discover any very serious objections to it, except two, and to one of these I attach no importance. The objection as to the expense seems to me to be the only real objection. I do not at all agree with the Hon. Sir Dillon Bell that the frequency of the elections would tend to make the members of the other House mere delegates, and thereby lower the character and tone of the House. I am quite unable to accede to such a view. Let us consider what delegates are, and what members of the Assembly ought to do. Should they not do what their constituents desire them to do? Do members of the House of Representatives, holding a certain set of opinions, deliberately declare opinions of a different character in order to catch the votes of the people, and then give expression to totally different principles after they have been elected? I think not. I apprehend that the invariable rule is, that those who seek to be elected members of the House of Representatives truly declare the sentiments and opinions they hold, and that the constituencies whose suffrages they solicit select them according to the consonance of the views of the candidate with their own. It does not follow, because the views of the representative are in harmony with those of his constituents, that any one is entitled to call him a mere delegate. On the other hand, I apprehend that, if the reasoning of my honorable friend Sir Dillon Bell were pushed to the extreme, and if the value of the services of members of the House of Representatives were to be measured in direct ratio with their independence—that seems to be the honorable gentleman's idea of the model representative—the position of the representative, on that theory, would be that he would be, like ourselves, elected for life. If the duration of his tenure of his seat is to be the measure of his sense of independence, then the longer that term endures the greater will be his independence. I think the experience of the future will be the experience of the past—that men will be elected for the opinions they declare on the hustings, and which they are known to entertain. Also in many instances men will be elected for their high

personal character, although their views might not in every respect harmonize with the views of their constituents. I do not agree with the views expressed by more than one honorable member, that new members require a considerable amount of training before they are competent to take part in the business of the Legislature. If we apply that rule to our own Chamber, do we find that my honorable friend the Attorney-General has experienced any difficulty in falling into the conduct of the business of the Government? No doubt honorable members require some experience, but no one can have failed to notice that the new members—who form rather a large portion of the new House—take up the running in a very creditable manner. I think the desire of the constituencies has been so unequivocally expressed in favour of the shortening of the duration of Parliaments, and the House of Representatives have so exactly embodied that feeling in the Bill before us, that we should receive it in a proper spirit. No honorable member has shown that it can do any possible harm. The only difference is this: that the Parliament, instead of extending over five years, will extend over three years; and I do not see anything very revolutionary in that. I am satisfied that it will be an unqualified boon, for the reason that it will bring the representatives of the people in Parliament more frequently face to face with their constituents, so that they may be made fully alive to the wants and wishes of their constituents; and to carry out the views of the country in Parliament is, I apprehend, the main object sought to be attained by the representative system. I should regret that any action taken in this Council should throw any obstruction in the way of dealing with a measure which more nearly concerns the other branch of the Legislature, and, failing to see that the passing of this measure could be in any way injurious, I give my hearty concurrence to it.

The Hon. Mr. MILLER.—Sir, it appears to me that in reality no sufficient reasons have been given for the passage of a measure like this. It has been stated that one of the principal reasons of those who strongly advocate the passage of this measure is that members of the House of Representatives ought to be brought more frequently face to face with their constituents. That appears to me to be a very weak reason, in the time in which we live. It cannot be shown that there is any want of influence brought to bear on members by the various constituencies. It may have been the case in the state of things which existed when triennial Parliaments were the law in the mother-country, when it took a long time for the constituency of any member to ascertain what measures were being passed and what were his views, and when it was very difficult to communicate with him. But at the present time, with the electric telegraph and with the rapid and easy communication by steam, and when public meetings are got up with such ease, I do not think it can be said that sufficient influence is not brought to bear upon any member by his constituency. On the contrary, if there is anything to be said about it, there is frequently too much influence brought to bear upon members. I have heard

it said that this Bill will set at rest the difficult question of dissolutions of Parliament. I do not think that is a sufficient reason for passing a measure of this kind. I think there are many stronger arguments against it than there are for it. There can be no doubt that what has been urged in this debate—as in all other debates that have taken place upon this measure—about expense is strictly true. If honorable members will take the trouble to refer to the debate which took place in the House of Commons in the year 1716, when the Septennial Bill was passed, which repealed the Triennial Act, they will find that the principal reason for repealing the Triennial Act was the great expense of elections. The fact of the matter is that this measure has been twice tried in the parliamentary history of England, and it has twice failed. Triennial Parliaments were first introduced in England in the year 1641, but the law was broken through by the Long Parliament. It was then repealed in 1664. In 1694 a Triennial Parliaments Act was again passed, but was repealed in 1716: so that it was only twenty-two years in existence. In 1716, member after member in the House of Commons urged the great expense of elections as a reason why the Act should be repealed, and that, I believe, was the principal reason why the Septennial Bill was passed. For more than one hundred and fifty years the Triennial Act has been a dead-letter, and I am not aware that there has ever been any great attempt to bring it into operation again. There is another strong reason against the Bill. It will have a great tendency to destroy independence of thought on the part of members. I am one of those persons who think that it is a great benefit to the country that men who are returned to represent the people should be allowed to think for themselves—that they should not be in Parliament merely in order to express what their constituents think. I do not say that that is not the essence of representation: of course it is. But I think it is calculated to produce no benefit upon the community at large that members should have the will of the constituencies held perpetually *in terrorem* over them. Another objection is, that it will produce a sort of political unrest. There will be no peace. I cannot possibly understand what advantage it can be to any community for ever and ever to have elections going on. As it is, the people are almost as well aware of what is going on in Parliament as members themselves. All the transactions of Parliament are flashed from one end of the country to the other every morning; and there can be no sort of reason for bringing members face to face with their constituents so rapidly. How this measure has got included in what is called the liberal programme of this country is certainly to me a great mystery. Like other people, I have read what took place during the last elections; and I must say I cannot call to mind any occasion on which the constituents expressed or urged any particular reasons for their desire to have this measure; and I do not know that in the great majority of cases they did more than merely say, "Oh, yes; we will have triennial Parliaments."

There seemed to be some charm in triennial Parliaments which was to convey some unknown and indefinite benefits. What they are I do not believe anybody could tell you; and I venture to say that, if the people were asked about the question, their reasons would not be very satisfactory. I can understand that there was a period in the history of England when triennial Parliaments were of some value, and when the liberties of the people were really to a certain extent bound up in such a measure, because we know perfectly well that there was a time in the parliamentary history of the Old Country when the ruling power was confined to a few families, and when there was not that sympathy with what is popularly known as reform among those families which it is desirable should exist. I can understand that, in such a condition of things as that, it was desirable there should be triennial Parliaments. But will anybody say that such a state of things exists in New Zealand? Where are the ruling families in this country? What class of the community is excluded from Parliament, or from entering into that arena of politics in which any man can rise to the highest position? It is open to every man in this country to obtain the highest position, whether he be a landed proprietor or whether he be an artisan. For these reasons I cannot understand what is the object of the passage of this Bill. It seems to me to be *vox et præterea nihil*. At the same time, I agree with honorable members who say that the House of Representatives has a right to pass measures affecting the representation of the country, and that, to a certain extent, we are not so directly interested in this measure as they are. Therefore, if it is their express wish, we ought, perhaps, to be very careful how we interfere. Yet, as has been said during this debate, it cannot be denied that there is scarcely a member of the other House who really cares whether the Bill is passed or not. I believe that if the Legislative Council were to discard those delicate feelings about interference—which I admit they very properly entertain—and alter the Bill, steering the happy middle course—*mediotutissimus ibis*—by simply turning it into a Quadrennial Parliaments Bill, the House of Representatives would thank us very much. I throw that suggestion out to any honorable member, and I shall be happy to hear that there is no objection to such a course. I do not believe that it would be received with any great objection. I am satisfied that, looking to the real interests of the country, without reference to party, Liberal, Conservative, or any other programmes, triennial Parliaments will not be conducive to the interests of the country. We all have our own intimate friends amongst members of the other House, I am happy to say, and I hope we always shall have; and we know perfectly well that the expense of the late elections has been a very serious consideration indeed, and in times of depression like the present very few people have been able to afford it. The Hon. Sir Dillon Bell has put down the expense at £80,000. I think that is probably over the mark; but I think it has cost £30,000 or £40,000. At any rate, it has cost a great deal of money.

Hon. Mr. Miller

The Hon. Mr. CHAMBERLIN.—The money has been circulated in the colony.

The Hon. Mr. MILLER.—But the money circulated out of your own pocket does not do you much good. I will not detain the Council any longer. I do not mean to take up the position of opposing the Bill; but I must say that I shall be very glad indeed to hear some honorable member who does believe in the Bill give some good reasons for passing it.

The Hon. Captain FRASER.—Sir, I am sorry I cannot give those reasons; but I must compliment the Council upon having so unanimously supported the policy of Sir George Grey. I do not believe in this Bill. I do not consider that it is a liberal measure. I believe it to be a Tory Bill. It will throw the whole power of the Parliament into the hands of the rich classes of the community; and therefore I, for one, should I have to stand alone in this Council, intend to oppose it. I have heard honorable gentlemen quote extracts in support of this measure. I hope the Council will allow me to read a short extract from a speech of one of England's greatest statesmen, Sir Robert Walpole, upon the Septennial Bill. An attempt was made to bring in a Triennial Bill, instead of the Septennial Bill, and this statesman spoke against it. He said,—

“That triennial elections would make our Government too tedious in all their resolves is evident; because, in such case, no prudent Administration would ever resolve upon any measure of consequence till they had felt, not only the pulse of the Parliament, but the pulse of the people. The Ministers of State would always labour under this disadvantage: that, as secrets of State must not be immediately divulged, their enemies—and enemies they will always have—would have a handle for exposing their measures, and rendering them disagreeable to the people, and thereby carrying, perhaps, a new election against them, before they could have an opportunity of justifying their measures by divulging those facts and circumstances from whence the justice and the wisdom of their measures would clearly appear. Then it is by experience well known that what is called the populace of every country are apt to be too much elated with success, and too much dejected with every misfortune. This makes them wavering in their opinions about affairs of State, and never long of the same mind. And, as this House is chosen by the free and unbiassed voice of the people in general, if this choice was so often renewed we might expect that this House would be as wavering and as unsteady as the people usually are. And, it being impossible to carry on the public affairs of the nation without the concurrence of this House, the Ministers would always be obliged to comply, and consequently would be obliged to change their measures as often as the people changed their minds.”

The motion for repeal was rejected by a large majority, and the Bill has remained untouched down to the present time. Most reflecting men will agree with Mr. Macaulay, that “the repeal of the Septennial Act, unaccompanied by a com-

plete reform of the constitution of the elective body, would have been an unmixed curse to the country." That is the opinion of one of our greatest statesmen, so that I am supported in the vote that I am about to give. I shall oppose the Bill.

The Hon. Mr. HOLMES.—I have no difficulty whatever in making up my mind as to the course I shall pursue in regard to this Bill. I do not believe that honorable gentlemen are justified in stating or warranted in assuming that honorable members in the other branch of the Legislature were not sincere in the vote they gave on this Bill. It was supported by the electors throughout the country during the last general election, and by the representatives of the people in the other House. I believe that this was one of the burning questions that have been kept before the people for two or three years; and, whether rightly or wrongly, whether the public understood the question thoroughly or not, the great mass of the people have made up their minds that triennial Parliaments are desirable: that this measure would give them more command over the action of their members, who would thus be kept more in accord with the feeling of the electors. Looking at it from that point of view, I feel that I shall be justified in voting for this measure in its entirety. We have been told by the Hon. the Attorney-General that this measure passed unanimously the other branch of the Legislature—

The Hon. Mr. WHITAKER.—I said it was carried without a division.

The Hon. Mr. HOLMES.—When we hear that, and when on looking over the Bill we find that there is nothing objectionable in its principles, I think we should bow to the decision of the other branch of the Legislature and pass this Bill without question. I should not like to see a single syllable or letter of the Bill altered, in order that it may go back to the other House just as it left it. Reference has been made to the opinions entertained of triennial Parliaments in days gone by; but it is a singular fact that the opinions of modern statesmen have not been brought forward to combat the Bill now before the House. My honorable friend Mr. Miller goes back to the dark ages—to the days of the Stuarts; and my honorable friend Captain Fraser has cited the opinion of the most corrupt statesman that England ever produced. I do not think that, in either case, either honorable gentleman was happy in the observations he made. Looking at the Bill from a colonial point of view, the only objection I can see to it is that, in having elections so frequently, an additional expense would doubtless be thrown upon the country; but then, to counterbalance that, my impression is that, with the prospect of an election every three years, we should scarcely ever have a dissolution during the continuance of the Parliament; and so, in my opinion, the expense to the country would not be increased. Whatever means may be taken to lessen the expense of elections, this fact still remains: that money will be spent. And money has been spent more freely at every election for the last few years. For expenses incurred at

the last general election one honorable member had a little bill sent in for £1,100, and a great many other members spent from £400 to £700 or £800 on their election. That certainly is a large sum to pay, but, still, that is for the representatives themselves to consider. I think it is not for the Legislative Council to step in and try to remedy what certainly may be looked upon as an abuse in elections. With regard to liberty of thought, the mere fear of a constituency should not influence any man's independence. I have been the representative of constituents in two or three Provincial Councils, and my constituents never gave me any trouble so far as the free expression of my opinions was concerned. I formed my own opinions, and I may say that my constituents were generally in accord with my views. No man is of any value whatever who has not the courage of his own opinions. I think the Council would do well to accept the Bill as it now stands, because it has the approval of the people in another place, who are the most affected by it, and because it also has the approval of the country as expressed at the last general election.

The Hon. Mr. SCOTLAND.—Sir, I am one of those who do believe in this Bill. It has been said that there is no argument that can be adduced in its favour; but arguments have been from time to time adduced in favour of triennial Parliaments. I hold in my hand the opinion of Richard Cobden on triennial Parliaments. In one of his speeches he says, "We do not appoint people to be our stewards in private life for seven years; we do not give people seven years' control over our property." His idea was that a third of the members should be balloted out every year, so that at the end of three years they would have an entirely fresh Parliament. This Bill has been called radical and revolutionary.

The Hon. Captain FRASER.—I called it a Tory Bill.

The Hon. Mr. SCOTLAND.—Honorable members who say so seem to forget that the very first measure that was passed in England on the subject of Parliaments provided that they should be annual, or oftener if needs be. That was in the time of Edward I. I do not put much stress on that, for it is well known that Parliaments were called together principally or solely for the purpose of getting money out of them. It is quite certain that triennial Parliaments were the choice of the people in the seventeenth century. They were forced upon Charles I.—at a time of great danger they were forced upon a reluctant Monarch; and the reason why triennial Parliaments failed on that occasion was entirely owing to the troublous time in which the measure was introduced—a time of Civil War. Triennial Parliaments were subverted and destroyed by his profligate successor, Charles II. In 1694 they were the choice of the nation, and I believe that triennial Parliaments would be the law of the land at this day in England had they not been destroyed by a corrupt Whig aristocracy artfully availing themselves of the panic caused by the rebellion of 1715 in favour of the Pretender. They alleged that triennial Parliaments were expensive, and caused confusion in the country,

and so on : in fact, they gave the reasons against them which the Attorney-General gave us this afternoon. The Parliament that was extended seven years actually tried to prolong its existence, but, most fortunately, did not succeed. In 1782, William Pitt the younger, when he seriously contemplated reforming the Parliament, would very likely have endeavoured to bring back the country to triennial Parliaments. He was thwarted by the corrupt aristocracy, who gave him very clearly to understand that if that was the way in which he was going to govern the country the sooner he took himself to private life the better. It did not suit them to give back what was of such a great value to them, and by means of which they could carry on so profitable a trade in seats for rotten boroughs. You will see, in a "Life of William Cobbett," advertisements of seats for sale. In one case, "The advertiser is willing to give £1,400 a year for a seat in a certain Assembly." But even now you never get the aristocracy to suggest anything of the kind. No. Why? Because they pay such prices for their seats that they are determined to have as much as they can get for their money. Well, Sir, I think, in spite of what has been said to-day, the members of the House of Representatives are better judges than this Council of the fitting season to bring forward a measure of this kind. They are brought more intimately than ourselves into contact with the people, and they must be supposed to know the feelings of the people on the subject. If they are so heroic, and so sublime, as to agree to shorten the term of their present existence to two years from this time, then, I say, I will not be one to oppose what I consider to be a good Bill. I shall therefore vote for the second reading.

The Hon. Mr. ACLAND.—Sir, I intend to give my vote in support of this measure. I must say that I do consider it a measure of doubtful policy. I am not sure that it is so urgently required; but it has been brought forward as one great point in the so-called liberal policy; and, as the House of Representatives, who are the proper persons to judge of a measure of this sort, have given a vote without a division in favour of it, I think, if they wish it, they have a perfect right to have it. At the same time, it may perhaps be a question whether this measure is permanently desired by the country. It is the fact that the voice of the country has been given in its favour by the members being elected who said they intended to vote for it. Yet, so far as I have seen, I think the votes of the constituents in the part of the country where I live were given very much more for the men than for the measures; and I think that is probably the case on both sides in Parliament. In one part of the country, candidates were elected because they had been recommended by some one else, and sent to Parliament on such a ticket. But, as expressed through their representatives, the people have appeared in favour of this measure, and I think they have a right to have it, and shall give my vote for it.

The Hon. Mr. CHAMBERLIN.—Sir, the Council will not be surprised if I say that I intend to support this Bill, for I have already said,

Hon. Mr. Scotland

upon a former occasion, that I think it is a step in the right direction. I consider that this Council has no right to interfere with a Bill of this character. I consider that the matter should be left entirely in the hands of the House of Representatives. It is a matter that they are responsible for, and this Council had better not interfere with it in any way whatever. Sir, this is a country wherein there are rapid changes. It is so totally different from the Old Country that the question of the duration of Parliaments should be considered in a different light. In the Old Country, Sir, the population is comparatively at a standstill. In this country in the course of a few years we see the population doubled. Circumstances are so different in the two countries that the matter of the duration of Parliaments should be considered in different lights. Sir, I consider that one advantage of the shorter period of triennial Parliaments will be that it will have the effect of preventing men from entering Parliament merely for the sake of the honorarium connected with it. If the time is reduced to three years, and—as I believe will probably be done—the honorarium increased to £300, it will amount to £900 altogether for each Parliament; whereas, if Parliaments were continued for five years, it would amount to a much larger sum—£1,500. That sum may be sufficient to induce many men to enter Parliament merely for the sake of the honorarium. Therefore I consider there should be no temptation of that kind in this country. There is also this disadvantage in the longer period: that men are apt to look to little Government billets, whereas in the shorter period they have not time to make such arrangements. There is also this drawback in the longer period: that a man gets in for a period of five years, and has a sort of feeling that he is independent of his constituents; whereas, if elected for only three years, he will think twice before he snaps his fingers at them. He cannot do just as he pleases. Although we may pass this Bill, it does not follow that the system is to be kept up for all time. There is no reason, after it has been tried for a period of more or less duration, that we should not go back to the five years or any other period that may become suitable at some future time. Sir, if it were not for the expense it would put the country to, and the candidates also, I think it would be more advantageous if we had annual Parliaments. One objection which has been raised to triennial Parliaments is, that it does not give a man sufficient time to become acquainted with the customs of the House, and, so to speak, to learn his business; but there is no reason why, if any member pleases his constituents, he may not remain in for thirty years. I am surprised to see the Hon. Mr. Reynolds opposing this Bill, because he is himself a living example of a representative who has been able to satisfy his constituents for twenty-four years. The triennial election of Parliaments will have no influence whatever upon any member who continues to please his constituents; and I am very glad the Government have brought it forward.

The Hon. Mr. TAIAROA.—I rise to say a few

words on this Bill. I do not altogether approve of it myself, but, considering that it has been passed by the representatives in another place, I shall give it my support, because the measure was brought in to apply to their elections. I say to this Council that the other House will see the mistake they have made in the matter, because the election expenses are so great, and they will naturally be greater as they will have to be every three years instead of five as heretofore. They will have themselves to blame for it. I therefore say, Let this Bill be passed. As the House of Representatives has thought proper to pass such a measure, let us agree to it. When the Natives of the Middle Island heard what Sir George Grey had said in his speeches and so on about triennial Parliaments, they said that they would support him in the matter, although I told them they did wrong in supporting him. Then, again, they argued that it would be better to do this, because they might not appoint a man they would approve of, and, if they wished to get rid of him, they could not get rid of him so readily as they could if this Bill were passed. On this ground they approved of the measure, and I shall therefore support it.

The Hon. Dr. POLLEN.—Sir, I shall support the second reading of this Bill, mainly for the reason expressed by the honorable member who has just spoken, that it has been passed by the House of Representatives. Sir, as the House of Representatives has come, if one may so say, fresh from the hands of the people, the honorable members may be taken to be the exponents of the exact amount of trust and confidence which the electors are disposed to repose in them. I do not think, Sir, that, with the experience which this Council has had up to this time of the proceedings in another place, we should be justified in expressing, by refusing the second reading of this Bill, a different opinion on the particular point to which I have alluded from that which has been already expressed, as I understand it, by the constituencies. I am not without hope, nevertheless, that, before the time when this Bill may come into practical operation, I shall have the pleasure of voting for a measure which will absolutely repeal it.

The Hon. Mr. WILLIAMSON.—I shall support this Bill, because I acknowledge that some benefit may be derived from it. My first impression was that the Council would do better to give the other House another opportunity of reflecting over the matter, and to intimate that, although we did not desire to pass the measure this session, yet, if it were sent up to us again by anything like a unanimous vote of the other House, we would consent to its becoming law. I thought that perhaps a year's reflection might change the minds of honorable members. In considering this question I do not, like some honorable members, take into account the expense of the candidates only. The people themselves are put to a very considerable cost. It should also be borne in mind that elections going on all over the country keep a great many people from their ordinary employment, and to a certain extent lead to habits of intemperance. In other respects, also,

the triennial system will have a more injurious effect upon the electors than upon the members. However, I shall vote for the second reading of the Bill.

The Hon. Mr. WHITAKER.—It is unnecessary for me to say much in reply, because it is very obvious that the Council intends to pass the second reading of the Bill. But, as the Hon. Sir Dillon Bell used the strongest arguments and made the longest speech on the subject, some notice should be taken of what he has said. It appears to me that the honorable gentleman's argument proves a great deal too much. If it proves anything at all, it proves that a representative should hold his seat for life. All his arguments tend to that: but I think none of us can agree with him in the opinion. I hardly think that any member of this Council would say that the duration of Parliaments should be even seven years. The honorable gentleman also said that this was a revolutionary measure. I cannot see anything revolutionary in it at all. The principle that members should go back to their constituents at stated times, I apprehend, everybody accepts, and that is the principle of this Bill. The only question—and it is one of detail—is, whether or not they should go to their constituents every three years, every five years, or every seven years. I admit there may be a great deal of difference of opinion upon that, and I stated, in moving the second reading of the Bill, that for my own part I did not think there would be such very great advantages arising from this measure; but, on the other hand, that I did not think there would be such great mischief arising from it as some members expect. My honorable friend also said that a great portion of the members of the other House were not in favour of the Bill—voted against their inclinations, if I understood him rightly. That is a very curious statement to make. We have the deliberate opinion of these gentlemen in this Bill, passed without a division, and I must say that, looking at the circumstances under which it has been passed, it would be an unreasonable thing if the Council were to refuse to gratify the wishes of these gentlemen. The Hon. Mr. Waterhouse suggested that we should keep the Bill over until we had got the Legislative Council Triennial Bill. I do not think the honorable gentleman need wait for that. When we pass a Triennial Legislative Council Bill and send it to the other House, I have no doubt they will do for us what we are now willing to do for them, and pass our Bill.

Bill read a second time.

TIMARU COUNTY.

The adjourned debate was resumed upon the question, That, in the opinion of this Council, the proposed new County of Timaru should not be constituted.

The Hon. Captain FRASER said that he moved the adjournment of the debate on the last occasion for the purpose of obtaining more information than the Council was then in possession of; and now the best thing he could do was to support the motion. He thought there was a

general opinion against multiplying these local bodies.

Motion agreed to.

FISHERIES PRESERVATION BILL.

The Hon. Mr. WHITAKER moved, That the order of the day for the committal of this Bill be discharged. It had been intended to go on with it; but it appeared to him that the Bill was imperfect in some respects, that it was not a consolidating measure, as it left other Statutes of a similar character on the Statute Book, and that it ought to be made a more complete measure. He did not think that this session they would have an opportunity of making it such a perfect measure as he could desire, and, considering that in all probability the Parliament would meet again in five months' time, it would be better to leave the Bill over, in order that it might be made more perfect, with a view to its introduction in the early portion of next session.

Motion agreed to.

FENCING BILL.

This Bill was considered in Committee.

Clause 5.—Interpretation.

The Hon. Mr. CHAMBERLIN moved the addition of the following words: " 'To make use of,' means any person who shall keep and graze cattle, sheep, horses, or other animals."

Question put, "That the words proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Aye	...	...	...	...	1
Noes	...	...	...	...	22
					—
Majority against	...	...	...	...	21
					—

AYES.

Mr. Chamberlin.

NOES.

Mr. Acland,	Mr. Paterson,
Sir F. Dillon Bell,	Mr. Peter,
Mr. Dignan,	Dr. Pollen,
Mr. Gray,	Mr. Reynolds,
Mr. Hart,	Major Richmond, C.B.,
Mr. Holmes,	Mr. Scotland,
Mr. G. R. Johnson,	Mr. Taiaroa,
Mr. J. Johnston,	Mr. Waterhouse,
Mr. Menzies,	Mr. Williamson,
Mr. Ngatatu,	Mr. Wood,
Mr. Nurse,	Mr. Whitaker.

The amendment was consequently negatived.

Progress was reported, and leave given to sit again.

The Council adjourned at ten o'clock p.m.

Hon. Captain Fraser

HOUSE OF REPRESENTATIVES.

Tuesday, 18th November, 1879.

First Reading—Titanic Steel Company—Fire Brigades—Kaniéri County—Mineral Springs—Locomotives—Lands open for Occupation—Sydenham Post Office—Sydenham Petty Sessions Court—Christchurch Petty Sessions Court—Registration of Electors Bill—Regulation of Elections Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

Maori Representation Bill (No. 2).

TITANIC STEEL COMPANY.

Mr. BALLANCE asked the Minister of Lands, Whether he will lay before this House any opinion of the Law Officers of the Crown respecting the fulfilment of the conditions by which the Titanic Steel Company are entitled to a grant of 5,000 acres of land; and whether the Government will bring in a Bill during the present session to remove any technical defects preventing such grant from being issued?

Mr. ROLLESTON said he would answer the last part of the question first. He had gone carefully through the papers, so far as the time at his disposal would permit; and, with the information the Government had now before it, it was not prepared to bring in a Bill for the purpose stated. The matter required much more careful consideration than could be given to it at this stage of the session. With regard to the first part of the question, it was not usual to place the opinions of the Law Officers before the House; and at the present time the Government did not consider that any good purpose would be served by laying this opinion before the House.

FIRE BRIGADES.

Mr. STEVENS asked the Colonial Treasurer, Whether he will make provision for placing the fire brigades of the colony in the same position, as regards capitation allowances, as that held by Volunteers? This question was following up a petition he had presented from the fire brigades. It should be considered that the fire brigades rendered public services of an important character, and that the Government derived a large amount of benefit from their services in respect to the protection of Government buildings in different parts of the colony, which were enabled to be insured at a less expense than they otherwise would be insured at, or in some cases left uninsured altogether.

Major ATKINSON said the Government agreed with the honorable gentleman that the fire brigades rendered very important public services. Without absolutely committing the Government to a distinct promise, he hoped they would see their way, when bringing down the supplementary estimates, to make the provision proposed by the honorable member.

KANIERI COUNTY.

Mr. SEDDON asked the Government, What is the cause of the delay in issuing, under sec-

tion 14 of "The Counties Act, 1876," the Proclamation declaring the new Kanieri County, as petitioned for by certain ratepayers of the Kanieri Road District, Westland Provincial District? Previous to last session a petition was sent up by certain ratepayers in the Kanieri District asking for the constitution of a new county. For reasons of which the Government were aware, that petition was not presented to Parliament within the ten days specified by the Counties Act; neither had it been presented this session. He had received a communication from the Kanieri Road Board, asking what had become of the petition, and why it had not been laid before Parliament. In asking this question, he did not wish to discuss the policy of constituting a new county; but it was provided by Act of Parliament that certain steps should be taken in regard to these petitions, and he felt it his duty to the portion of his constituency concerned to ask this question.

Mr. HALL replied that there were two reasons why the Proclamation could not be issued, if the Government had thought it desirable to issue it. One was, that the area proposed to be included in the county was less than that required by the Act. Another reason was, that the number of signatures, after deducting the names of those who were not ratepayers, and those who had signed twice, was not sufficient to meet the requirements of the Act. But, in addition to that, it appeared to the Government that the policy of cutting up the Westland County in the manner proposed by this petition was very questionable.

MINERAL SPRINGS.

Mr. REEVES asked the Government, If they will have collected, and forwarded to the forthcoming International Exhibition to be held in Melbourne, samples of the different mineral springs in the North and Middle Islands; together with analyses of their several medicinal and curative properties?

Mr. HALL said that analyses to a considerable extent had been made of the springs in the North Island. With regard to the general question raised by the honorable gentleman, the Government would communicate with Dr. Hector, who was expected to return from Sydney in a few days, and would endeavour to arrange for some such collection being forwarded.

LOCOMOTIVES.

Sir G. GREY asked the Government, If they will be prepared to purchase locomotives, built in the colony, at a price above the cost of similar engines when imported from England or America, the engines being guaranteed to stand such test as may be required; and, if found suitable, will an order be given for fifteen or twenty of such locomotives, for use on the New Zealand railways; and will the Government call for tenders for such locomotives, to ascertain the price at which they can be supplied? If the Government would accede to the request at the end of the question, they would confer a very great benefit on the colony. He had reason to know that there were persons prepared to supply locomotives at the present time.

Mr. OLIVER replied that the rolling-stock ordered by the late Government was sufficient to last for several years.

LANDS OPEN FOR OCCUPATION.

Mr. BARRON asked the Government, Whether, to facilitate settlement, they will cause to be exhibited at each land and post office in the colony, in some conspicuous place to which the public may at all times have access, maps showing distinctly, in blocks and sections, all lands open for occupation; together with descriptions of such lands, showing altitude, exposure, nature of soil, character of existing vegetation, and the price or rent and terms on which such lands may be acquired? He asked this question because it had been brought under his notice that people desiring to settle upon the land had great difficulty in procuring the exact information which they required. A somewhat similar system, so far as the plan was concerned of compiling such information as that he suggested, was at one time in existence in the Provincial District of Otago, where it was found to work very satisfactorily.

Mr. ROLLESTON said that, as far as he could learn from the department, arrangements might be made in the direction the honorable member indicated in his question. It was the desire of the Government to promote the proper circulation in that way of all information with regard to the sale of lands. At the present time, notices were always inserted in the *Gazette*. He would give the matter his attention, with the view of seeing that as full effect as possible was given to some such scheme as that proposed.

SYDENHAM POST OFFICE.

Mr. ANDREWS asked the Government, What steps have been taken towards giving Sydenham a money-order office and post office, in accordance with the recommendation of Mr. Dick, the Chief Postmaster of the district?

Mr. HALL replied that it had been decided to erect a telegraph and post office at Sydenham; and the site was being negotiated for at the present time. So soon as a satisfactory arrangement could be made for that purpose, the erection would be proceeded with.

SYDENHAM PETTY SESSIONS COURT.

Mr. ANDREWS asked the Government, If they will constitute a Petty Sessions Court at Sydenham, to hold its sitting weekly? He asked this question at the desire of the residents of Sydenham, to whom he believed it would be a great convenience if a Petty Sessions Court were held there at least once a week. If the Government would inquire into the matter they would find that an economical arrangement could be made.

Mr. ROLLESTON would like to make further inquiries, with the view of giving effect to this proposal if it could be done. Under the law as it stood at present, Petty Sessions were only held monthly. What the honorable member meant was, probably, a sitting of what was known as the Mayor's Court. He would inquire into the whole question, and also with regard to the ques-

tion next on the Order Paper, and he would like to have further information before replying more fully.

CHRISTCHURCH PETTY SESSIONS COURT.

Mr. ANDREWS asked the Government, If they will create a Petty Sessions Court in Christchurch, so that the Resident Magistrate's Court may be relieved of Police Court business, and that the citizens of Christchurch may possess the same privileges as are bestowed upon the citizens of Dunedin? He was satisfied with the assurance that the Ministry would look into this matter at their earliest convenience, and would only say that the present system entailed great inconvenience upon the merchants and tradespeople of Christchurch, who had to wait about from time to time while the minor Police Court cases were being dealt with.

Mr. ROLLESTON said the Government would take care that an inquiry was made into the matter.

REGISTRATION OF ELECTORS BILL.

This Bill was further considered in Committee. Clause 19.—Objections.

Mr. PYKE moved the addition of the following proviso: "Provided also that the objector shall be required to substantiate his objection."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	23
Noes	...	...	...	...	33
Majority against	...	...	...	...	10

AYES.

Mr. Barron,
Mr. De Lautour,
Mr. J. B. Fisher,
Mr. J. T. Fisher,
Mr. Hamlin,
Major Harris,
Mr. Hutchison,
Mr. London,
Mr. Macandrew,
Mr. Montgomery,
Mr. Moss,
Mr. Reeves,

Mr. Seddon,
Mr. Speight,
Mr. Stewart,
Mr. Tainui,
Mr. Tawhai,
Mr. Thomson,
Mr. Tole,
Mr. Tomoana,
Dr. Wallis.
Tellers.
Mr. George,
Mr. Pyke.

NOES.

Mr. Allwright,
Mr. Andrews,
Major Atkinson,
Mr. Bain,
Mr. Bowen,
Mr. Bryce,
Captain Colbeck,
Mr. Dick,
Mr. Fulton,
Mr. Gibbs,
Mr. Hall,
Mr. W. J. Hurst,
Mr. Kelly,
Mr. Levin,

Mr. Reid,
Mr. Rolleston,
Captain Russell,
Mr. Saunders,
Mr. Shanks,
Mr. Shephard,
Mr. Stevens,
Mr. Studholme,
Mr. Sutton,
Mr. Swanson,
Colonel Trimble,
Major Willis,
Mr. Reader Wood,
Mr. Wright.

Mr. Rolleston

Mr. Masters,
Mr. Murray,
Mr. Pitt,

Tellers.
Mr. McLean,
Mr. Whitaker.

The amendment was consequently negatived. Clause 24.—Copies of roll obtainable.

Mr. GEORGE moved, That the words "a reasonable price, to be from time to time fixed by the Chief Registrar," be omitted, with a view to insert the words "the following prices: For every printed copy of any electoral roll containing any number of persons' names not exceeding one thousand, one shilling; exceeding one thousand, one shilling and sixpence."

The original words of the clause were struck out.

Question put, "That the words proposed to be inserted be there inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	24
Majority for	...	...	...	...	3

AYES.

Mr. Ballance,
Mr. Barron,
Mr. Bowen,
Mr. De Lautour,
Mr. Dick,
Mr. Hamlin,
Major Harris,
Mr. Hutchison,
Mr. Kelly,
Mr. London,
Mr. Montgomery,
Mr. Reeves,
Mr. Seddon,
Mr. Shanks,

Mr. Shephard,
Mr. Speight,
Mr. Sutton,
Mr. Swanson,
Mr. Tainui,
Mr. Tawhai,
Mr. Thomson,
Mr. Tole,
Mr. Tomoana,
Dr. Wallis,
Mr. Whitaker.
Tellers.
Mr. George,
Colonel Trimble.

NOES.

Mr. Acton Adams,
Mr. Allwright,
Mr. Andrews,
Mr. Bain,
Mr. Beetham,
Mr. Bryce,
Captain Colbeck,
Mr. Fulton,
Mr. Gibbs,
Mr. Gisborne,
Mr. Hall,
Mr. W. J. Hurst,
Mr. Mason,

Mr. McLean,
Mr. Pitt,
Mr. Rolleston,
Mr. Shrimski,
Mr. Stevens,
Mr. Studholme,
Mr. Turnbull,
Major Willis,
Mr. Wright.

Tellers.
Mr. Murray,
Mr. Reid.

The amendment was consequently agreed to. Bill reported, with amendments.

REGULATION OF ELECTIONS BILL.

The House went into Committee on this Bill. Clause 8.—Clerk of Writs to issue writs.

Mr. HISLOP moved the addition of the following words: "In the writs to be issued the date shall be named for the polling, if required, to take place, and the same day shall be appointed in each writ for the polling."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	30
Noes	...	...	...	21
Majority for	...	...	...	9

AYES.

Mr. Allwright,	Mr. Pyke,
Mr. Bain,	Mr. Reeves,
Mr. Barron,	Mr. Reid,
Mr. De Lautour,	Mr. Shanks,
Mr. J. T. Fisher,	Mr. Shephard,
Mr. Fulton,	Mr. Stewart,
Mr. George,	Mr. Tainui,
Major Harris,	Mr. Tawhai,
Mr. Hutchison,	Mr. Thomson,
Mr. Johnston,	Mr. Tomoana,
Mr. Levin,	Colonel Trimble,
Mr. Macandrew,	Dr. Wallis.
Mr. Montgomery,	
Mr. Moss,	<i>Tellers.</i>
Mr. Murray,	Mr. Andrews,
Mr. Pitt,	Mr. Lundon.

NOES.

Mr. Acton Adams,	Mr. Stevens,
Major Atkinson,	Mr. Studholme,
Mr. Bowen,	Mr. Swanson,
Mr. Bryce,	Mr. Wakefield,
Mr. Dick,	Mr. Whitaker,
Mr. Gibbs,	Major Willis,
Mr. Hall,	Mr. Reader Wood,
Mr. W. J. Hurst,	Mr. Wright.
Mr. Mason,	<i>Tellers.</i>
Mr. McLean,	Mr. Gisborne,
Mr. Saunders,	Mr. Sutton.

The amendment was consequently agreed to.

Clause 10.—Candidate may nominate himself. Ten pounds to be deposited.

Mr. REEVES moved, That the word "ten" be struck out, for the purpose of inserting the word "twenty."

Question put, "That the word proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	23
Noes	...	...	...	24
Majority for	...	...	...	4

AYES.

Mr. Allwright,	Mr. McLean,
Mr. Andrews,	Mr. Montgomery,
Major Atkinson,	Mr. Moss,
Mr. Ballance,	Mr. Reid,
Mr. Bryce,	Mr. Saunders,
Mr. De Lautour,	Mr. Shanks,
Mr. Dick,	Mr. Swanson,
Mr. J. T. Fisher,	Mr. Tainui,
Mr. Gibbs,	Mr. Tawhai,
Mr. Hall,	Mr. Tomoana,
Mr. Hamlin,	Dr. Wallis.
Major Harris,	
Mr. Hielop,	<i>Tellers.</i>
Mr. Hutchison,	Mr. Rolleston,
Mr. Lundon,	Mr. Stevens.

NOES.

Mr. Acton Adams,	Mr. Stewart,
Mr. Bain,	Mr. Studholme,
Mr. Barron,	Mr. Sutton,
Mr. Bowen,	Mr. Thomson,
Captain Colbeck,	Colonel Trimble,
Mr. Fulton,	Mr. Turnbull,
Mr. George,	Mr. Wakefield,
Mr. Gisborne,	Major Willis,
Mr. Levin,	Mr. Wright.
Mr. Mason,	
Mr. Murray,	<i>Tellers.</i>
Mr. Pitt,	Mr. Reeves,
Mr. Sheehan,	Mr. Shephard.

The amendment was consequently negatived.

Ten electors may nominate a candidate.

Mr. HALL moved the insertion of the words "who has given his consent thereto in writing" after the words "any duly-registered elector may be nominated."

Question put, "That the words proposed to be inserted be so inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	23
Noes	...	...	...	22
Majority for	...	...	...	1

AYES.

Mr. Allwright,	Mr. Hutchison,
Major Atkinson,	Mr. McLean,
Mr. Bain,	Mr. Moss,
Mr. Barron,	Mr. Shephard,
Mr. Bryce,	Mr. Thomson,
Mr. Dick,	Mr. Tole,
Mr. J. T. Fisher,	Mr. Tomoana,
Mr. George,	Colonel Trimble,
Mr. Hall,	Dr. Wallis.
Mr. Hamlin,	<i>Tellers.</i>
Major Harris,	Mr. W. J. Hurst,
Mr. Hielop,	Mr. Whitaker.

NOES.

Mr. Andrews,	Mr. Shanks,
Mr. Ballance,	Mr. Studholme,
Captain Colbeck,	Mr. Swanson,
Mr. Fulton,	Mr. Tainui,
Mr. Gibbs,	Mr. Tawhai,
Mr. Gisborne,	Mr. Turnbull,
Mr. Levin,	Major Willis,
Mr. Mason,	Mr. Wright.
Mr. Montgomery,	
Mr. Pitt,	<i>Tellers.</i>
Mr. Reeves,	Mr. Acton Adams,
Mr. Reid,	Mr. Lundon.

The amendment was consequently agreed to.

Mr. BARRON moved, That, in the words "in which case no such sum as aforesaid shall be required to be deposited," the word "no" be struck out.

Question put, "That the word 'no' stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	20
Noes	...	...	...	24
Majority against...	...	...	...	4

AYES.

Mr. Allwright,	Mr. Stevens,
Major Atkinson,	Mr. Tainui,
Mr. Bain,	Mr. Tawhai,
Mr. Beetham,	Mr. Thomson,
Mr. Hall,	Colonel Trimble,
Mr. W. J. Hurst,	Mr. Turnbull,
Mr. McLean,	Mr. Wright.
Mr. Pitt,	
Mr. Rolleston,	<i>Tellers.</i>
Mr. Saunders,	Mr. Gibbs,
Mr. Shephard,	Mr. Hislop.

NOES.

Mr. Acton Adams,	Mr. Moss,
Mr. Andrews,	Mr. Murray,
Mr. Bowen,	Mr. Reeves,
Captain Colbeck,	Mr. Shanks,
Mr. De Lautour,	Mr. Studholme,
Mr. Dick,	Mr. Sutton,
Mr. J. T. Fisher,	Mr. Swanson,
Mr. Fulton,	Mr. Whitaker,
Mr. Hamlin,	Major Willis.
Major Harris,	
Mr. Hutchison,	<i>Tellers.</i>
Mr. London,	Mr. Barron,
Mr. Montgomery,	Mr. George.

The amendment was consequently agreed to.

Mr. HISLOP moved, That all the words after "nomination paper" be struck out, with a view to inserting the following: "shall be accepted by the Returning Officer unless the same is made out in compliance with this section; and after the notice shall have been accepted by the Returning Officer no objection shall be taken to the nomination."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	17
Majority for	...	...	...	...	5

AYES.

Mr. Acton Adams,	Mr. McLean,
Mr. Allwright,	Mr. Pitt,
Mr. Andrews,	Mr. Rolleston,
Major Atkinson,	Mr. Saunders,
Mr. Bain,	Mr. Shephard,
Mr. Beetham,	Mr. Studholme,
Captain Colbeck,	Colonel Trimble,
Mr. Fulton,	Mr. Wright.
Mr. Gibbs,	
Mr. Hall,	<i>Tellers.</i>
Mr. W. J. Hurst,	Mr. Stevens,
Mr. Hutchison,	Mr. Whitaker.

NOES.

Mr. Barron,	Mr. Shanks,
Mr. De Lautour,	Mr. Swanson,
Mr. J. T. Fisher,	Mr. Tainui,
Mr. Hamlin,	Mr. Tawhai,
Major Harris,	Mr. Thomson,
Mr. London,	Mr. Turnbull,
Mr. Montgomery,	
Mr. Moss,	<i>Tellers.</i>
Mr. Reeves,	Mr. George,
	Mr. Hislop.

The amendment was consequently negatived.

Mr. Barron

Clause 15.—Poll to be by ballot.

Mr. STEVENS moved, as an amendment, That, in the words "close at six o'clock," the word "six" be struck out, with a view to insert the word "eight."

Question put, "That the word 'six' stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	10
Majority for	...	...	...	...	17

AYES.

Major Atkinson,	Mr. Rolleston,
Mr. Beetham,	Mr. Shanks,
Captain Colbeck,	Mr. Shephard,
Mr. De Lautour,	Mr. Sutton,
Mr. J. B. Fisher,	Mr. Swanson,
Mr. Fulton,	Mr. Tainui,
Mr. George,	Mr. Tawhai,
Mr. Gibbs,	Mr. Thomson,
Mr. Hall,	Colonel Trimble,
Mr. Harris,	Mr. Turnbull,
Mr. Hislop,	Mr. Whitaker.
Mr. London,	<i>Tellers.</i>
Mr. McLean,	Mr. W. J. Hurst,
Mr. Murray,	Mr. Studholme.

NOES.

Mr. Allwright,	Mr. Montgomery,
Mr. Andrews,	Mr. Saunders.
Mr. Bain,	
Mr. Barron,	<i>Tellers.</i>
Mr. J. T. Fisher,	Mr. Acton Adams,
Mr. Hutchison,	Mr. Pitt.

The amendment was consequently negatived.

Progress was reported, and leave given to sit again.

The House adjourned at twenty minutes to two o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 19th November, 1879.

Agent-General—Provincial Receipts and Expenditure—
Otago University Bill—Local Bills—Railway Tariff—
Hawke's Bay and Marlborough Rivers Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

AGENT-GENERAL.

The Hon. Sir F. DILLON BELL asked the Hon. the Attorney-General, Whether the attention of the Government has been called to a letter from the Agent-General, in the *Times* of 26th September, respecting his position as a director of the New Zealand Agricultural Company; and whether there is any objection to inform Parliament of the circumstances which may have justified Sir Julius Vogel in publicly declaring that he had the authority of three Ministers for assisting in organizing that company? The question explained itself. In the *Times* of the 26th September a letter appeared from Sir Julius Vogel, in which

he said, with reference to statements contained in the letter of a correspondent of the *Times* relative to transactions in this colony, that he had the authority of three Ministers to assist in organizing the New Zealand Agricultural Company. Such a statement he (Sir F. Dillon Bell) believed had been made in another branch of the Legislature, but had been denied; at any rate, he had not been able to trace any record of the fact that three Ministers had given their consent: but, if they had done so, it was unfair to Sir Julius Vogel that the course taken by himself (Sir F. Dillon Bell) and others with reference to the Agent-General and his connection with the company should have been taken. It would also be noticed by the Hon. the Attorney-General that Sir Julius Vogel did not mention the names of the three Ministers referred to.

The Hon. Mr. WHITAKER said he was not in a position to give any further information on the subject than was already before the Council, except that a reply had been received from Sir Julius Vogel to a telegram sent to him at the instance of the House of Representatives, which gave, he believed, the names of the Ministers whose authority was alleged to have been given.

The Hon. Sir F. DILLON BELL inquired if the honorable gentleman had any objection to say who were the Ministers named.

The Hon. Mr. WHITAKER said he knew very little at present about the matter. Probably the reply would be laid upon the table of the House of Representatives.

PROVINCIAL RECEIPTS AND EXPENDITURE.

The Hon. Mr. REYNOLDS, in moving the motion standing in his name, said that in the session of 1877 a similar return was moved for and obtained in the other branch of the Legislature, and a continuation of that return was asked for in 1878, but he believed that, up to the present time, it had not been laid on the table. Therefore he wished for that return to be continued from 1877 to the present time. He thought it would be advisable if a similar return were laid upon the table every session, so as to show the revenue and expenditure in each provincial district, because it would have the effect of enabling the members to judge of the truth in the talk there was about "justice to Auckland," "justice to Nelson," and so on in regard to Otago, Canterbury, Wellington, and other provinces.

Motion made, and question proposed, "That a return, in tabular form, showing the total amount of consolidated revenue received in each provincial district for the year 1877-78, also the amount expended within each provincial district during said period—(1) out of consolidated revenue, (2) out of loan: such return to specify—(1) the portions which have been expended for general purposes (all others excepting Native and Defence), (2) those which have been expended for Native and Defence purposes, and (3) the percentage each such expenditure bears to the revenue derived from each provincial district—being

a continuation of Return B.-8 of last session—be laid on the table of the Council, and that it be supplemented by a similar return up to the end of last financial year."—(Hon. Mr. Reynolds.)

The Hon. Mr. WHITAKER said a return was in course of preparation which gave the whole of this information, as well as additional information not asked for by the honorable member.

Motion agreed to.

OTAGO UNIVERSITY BILL.

On Notice of Motion No. 3 being called on,

The Hon. the SPEAKER thought it but right that he should state to the Council that he had great difficulty with regard to this question, and he did not know how far he would be justified in putting it, because it was a question of asking one branch of the Legislature to set aside what had been done by joint action of both branches of the Legislature.

The Hon. Mr. REYNOLDS, in whose name the motion stood, could only say that the other branch of the Legislature took a similar course with regard to this very matter in the session of 1878, when a report was brought up from the Joint Committee on Bills; so that he did not think the Council would be going beyond its province, seeing that the same system had been adopted by the other House under similar circumstances. Speaking to the motion standing in his name, he had put it on the Order Paper because he had every reason to believe that this was not a private Bill. It did not at all propose to divert any endowments from the proper channel, but simply provided that, in the event of any dispute arising between the bodies concerned in the utilization of the endowment referred to in the Bill—that was to say, the Council of the University of Otago, the Trustees or Church Board of Management, and the Synod of the Presbyterian Church of Otago—then the Governor in Council should step in as arbitrator, and decide as between these three bodies. The Bill did not divert the funds from the purposes to which they were allocated by the Act of 1866. He might add that a dispute had already arisen between these three bodies, the result of which was, that a sum of about £6,000 had accumulated, which could not be utilized for the purpose for which the fund was set aside—namely, for the payment of professors appointed to chairs in the University. If honorable members would refer to the report of the Royal Commission which recently investigated the question of higher education, they would find that the Commission recommended the Government to introduce a Bill similar to the one now before the Council. In the face of these circumstances he thought the Standing Orders Committee might reconsider the question, and be a little more liberal in their construction of the Standing Orders as they applied to this particular measure.

The Hon. the SPEAKER said, before putting the question he hoped that the precedent set by the House of Representatives in this matter would not be followed. When the action of 1878 was taken he had the honor of being Speaker of the

the House of Representatives; and, to his mind, it was scarcely proper that one branch of the Legislature should adopt the course of reversing what had been done by the Joint Committee on Private Bills. If the Council were willing to agree to the motion he hoped the honorable member would be good enough to add words to the motion so that the matter would be merely referred back to the Joint Committee. That, it appeared to him, would be but courteous, and it would, to some extent, get rid of the difficulty he felt in putting the question.

Motion made, and question proposed, "That the report of the Joint Committee on Private Bills on the Otago University Ordinance Amendment Bill be disagreed to."—(*Hon. Mr. Reynolds.*)

The Hon. Mr. WHITAKER moved, That the debate be adjourned. His object was, that the Hon. the Speaker should confer with the Speaker of the other House, so that it might be seen how far the Council should proceed in this matter.

The Hon. Mr. HOLMES had no doubt whatever as to the character of the Bill. The property sought to be dealt with was essentially private property, for, although it was vested in trustees, it had been purchased with the money of a certain private trust. Apart from that, it appeared from articles in the Otago papers that the Hon. Mr. Reynolds was simply acting upon his own motion, and that he was taking a course to which some of the parties interested were entirely opposed.

The Hon. Mr. REYNOLDS.—I know that. I have said so before.

The Hon. Mr. HOLMES therefore thought the motion should at once be disposed of. It was a private Bill, and should not be allowed to go any further. He did not think it came with good grace from the honorable member, being one of the trustees of this property, to propose such a step without the concurrence and sanction of his co-trustees. It appeared to be stealing a march upon his co-trustees; therefore he hoped the motion would be negatived.

The Hon. Mr. G. R. JOHNSON was a member of the Joint Committee last year when a similar report to this was brought up, and he believed there could be no doubt that this was a Bill which affected private rights. If, however, the University of Otago was anxious to have the entire control over its own professors—and it might be very right that it should be so—that could be done in another way than by this Bill. However good the object of the Bill, that did not justify the form in which it at present appeared, and he would point out that, if the University of Otago authorities did not wish to interfere with property which did not belong to them, they could achieve their avowed object by striking out part of the preamble of the Bill and the 4th clause. The Bill would then retain to them entire control over all their professors. If they were content to accept such a measure as that, it would show that their object was only of a public character; but, if they persisted in pushing on this Bill in its present form, that would be distinct

Hon. the Speaker

proof that their object really was to affect the property of another body.

The Hon. Mr. WATERHOUSE thought, if the Council was to disagree with the report of a Joint Committee of both Houses, there should be some clear and satisfactory reasons set forth for such a course being adopted. Such reasons had not been adduced, and therefore he thought the simplest and wisest plan was to negative the proposal of his honorable friend Mr. Reynolds. He was the more impelled to recommend that course because the Council could not hide from itself the fact that the honorable gentleman was a direct party to the Bill; and it was not upon the recommendation of a party to a Bill, said to be a private Bill, that the Council should reverse a decision of the Joint Committee. In taking the course he (Mr. Waterhouse) had suggested, the Council would not be taking the University Senate by surprise. Last year this Bill was held to be a private Bill, and, with that decision on record, there was no excuse for the Senate failing to adopt this year the ordinary course, and give the notices required by the Standing Orders of both Houses.

The Hon. Sir F. DILLON BELL thought his honorable friend who had last spoken had not done justice to the Council of the University, because it must be remembered that they probably proceeded upon the refusal of the House of Representatives last year to adopt the report of the Joint Committee on Bills. If the report of the Joint Committee last year had not been disturbed last session, then he should have entirely agreed with his honorable friend; but the House of Representatives, by a considerable majority, after full consideration of the matter, disagreed with the report, and therefore he could not see that the University were to blame for having brought the matter forward again in the same shape. However, he hoped the Council would not agree to the motion of the Hon. Mr. Reynolds, nor with the motion for the postponement of the question. It might perhaps be a right thing that provision should be made for reconsidering decisions of the Joint Committee on Bills, but the preliminary step must be taken of looking into the whole subject carefully, examining the Imperial precedents, and determining some form by which a question of this sort might be dealt with. But he did not think it right, under the present Standing Orders, for either House to disagree with the course laid down by the Joint Committee. He hoped, for the reasons shown, his honorable friend would withdraw the motion, and, if he thought necessary, go on with the Bill in the way pointed out by the Hon. Mr. Randall Johnson. There could be no objection to the Bill providing that the whole of the professors should be appointed by the Council of the University, and be under their sole control: and he (Sir F. Dillon Bell) held that in the case of a body which had been enormously endowed by the State, as this Otago University had been, the State had a right to interfere in the administration of the University in that way. But he must beg, with all deference to the Hon. Mr. Johnson, to differ from him in his opinion

that the Bill, with the exceptions named, could be made to serve the purpose sought, because the purpose set out in the preamble was not given effect to by the enacting portion of the Bill, and they all knew that in the interpretation of Statutes the preamble was simply surplusage. He understood from the Hon. Mr. Johnson that clauses 2 and 3 would, in his opinion, be entirely of a public nature, and that it was clause 4 that made it a private Bill. He thought, at any rate, that this was open to doubt as to section 4, which was entirely in a future tense, and did not apply to anything that had existence now: it did not actually contemplate in its own words a different state of things from that contemplated by the Bill. He looked upon it as a clumsy and unfair Bill in its present shape. If his honorable friend wished to have the appointment of the University professors, let him bring in a Bill to that effect, but let him not deal with the Endowment Fund. He hoped the Council would not permit the great blunder to be committed of disagreeing with the report of the Joint Committee on such an unsatisfactory statement as had been made by his honorable friend. He should therefore vote against the proposal, and against the reference of the point to another tribunal. But, the general question of the Joint Standing Orders having arisen, it was one that must attract the attention, not only of the Speakers, but of the Government itself, who would have to consider whether there were justifiable grounds for some change.

The Hon. Captain BAILLIE said the Joint Committee gave this question every consideration. They had two meetings on the subject. On the first occasion there was a full meeting of members of both Houses, and there was no difference of opinion. The Committee adjourned to give the matter further consideration, so that there might be no doubt as to the exact tendency of their report. On the second occasion there was a large attendance of members of both Houses, and the report was approved of.

The Hon. Mr. MENZIES said this was a question which deserved careful consideration. In the case of Bills which were dealt with by a Joint Committee, neither branch of the Legislature could disagree with the report of the Committee. It seemed to him that, when a matter had been referred to the consideration of a Joint Committee of both Houses, the most convenient way would be to regard its report as final for the session. He was aware that the matter was under the consideration of the Sub-Joint Committee, and that they should have some further discussion upon it before the session closed. It was another illustration, in addition to those already adduced in the course of the discussion, of the necessity for having some definite and unequivocal rule on the subject. If it was competent for either House to object to or disagree with the decision of the Joint Committee, clearly the most convenient course would be that suggested by the Hon. the Speaker, to refer the report back to the Committee for consideration; but in this case he did not think that course was in any way necessary. Nearly every member of the Council would concur with the

view which the Hon. Mr. Holmes expressed first of all, that this was strictly a private Bill; that it proposed to amend an Act of Assembly which passed as a private Bill, and dealt with what was essentially private property, purchased by a certain association for certain purposes. The Act of 1866 defined how this property was to be administered. The words of the clause as to the appointments were, that the trustees were to appoint a professor to a certain chair in accordance with the rule laid down by the Synod, which was to endow the chair out of property that was private property, purchased by the Association. In the Bill now under consideration the first three clauses simply repeated what was the existing law—it left the matter as it stood by Statute; but the 4th clause introduced a fresh element, and withdrew the ultimate power of decision from the Synod altogether. In the case of the administration of private property, it was clear enough that those who had any control over that property should not be lightly interfered with, except in the manner provided by the Standing Orders on Private Bills. In this case he did not think the honorable mover had shown any reason why his resolution should be agreed to. Although the immediate object of the resolution was simply a technical one, yet the ulterior object of it was to enable the honorable member to proceed further with the Bill. It seemed to him that it would shorten the proceedings to indorse the decision of the Joint Committee, and so the Council would deal finally with this question. He apprehended the Council would come to the conclusion that the Bill was a private Bill, by negating the motion and indorsing the action of the Joint Committee.

The Hon. Mr. REYNOLDS said that if this motion were carried it was his intention to follow it up with another motion, That the Bill be referred back for the consideration of the Committee on Private Bills. He had fully anticipated the objection which the Hon. the Speaker would have to this motion unless it was followed up by some such resolution, and he would have been very glad to have added that to the motion itself. But he thought that, as it was the opinion of the Council, expressed so freely, that it was not advisable to carry this motion, it would be hardly necessary for him to propose that addition. He had only one or two remarks to make. It was stated that he was stealing a march on his co-trustees. He was doing nothing of the kind, as he believed their opinion to be in accord with his own.

The Hon. Mr. PATERSON.—No, no.

The Hon. Mr. REYNOLDS could not quite understand the honorable member. When the question came up, and the honorable gentleman was present at the meeting of trustees, he (Mr. Reynolds) certainly thought that the honorable gentleman saw a difficulty, and that it would be necessary to do something in order to get rid of that difficulty. Of course this Bill was not then in contemplation, but it was necessary that some action should be taken. Notwithstanding the "No, no," of the Hon. Mr. Paterson, he still believed that he was acting in conformity with

the wishes of, at all events, the majority of his co-trustees. He was sorry to hear that the Hon. Mr. Paterson was not at one with his colleagues, but he believed the other trustees would indorse the action that had been taken in the matter. He (Mr. Reynolds) need not allude to the fact that it was said that he was an interested party. He had no other interest than to see the endowment properly administered according to law—according to what he conceived to be the law—laid down with the concurrence of all parties interested in this fund, and which was ratified by the Act of 1866. He did not wish the Synod, instead of appointing a secular chair, to appoint a chair, as they had threatened to do, in the Otago Presbyterian College. He thought that would be altogether contrary to the spirit, if not to the letter, of the Act. The Hon. Mr. Menzies said this was a private Bill, and should not be altered to a public Bill.

The Hon. Mr. MENZIES.—I did not say that.

The Hon. Mr. REYNOLDS.—I understood the honorable member to say it was a private Bill, and should not be altered into a public Bill.

The Hon. Mr. MENZIES.—I said the Act of 1866 was a private Bill, that this is also a private Bill, and that it should be in accordance with Standing Orders affecting private Bills.

The Hon. Mr. REYNOLDS said the Act of 1866 was a private Bill, but had been amended by a public Bill subsequently, and no objection was taken at the time. Even the very constitution of the Board was altered by this public Bill. However, there was another way of getting rid of the difficulty. It was possible, he believed, to get a majority of the ninety-four members of the Otago Association, or those claiming under them in virtue of their succeeding to the properties purchased under the Association, to ask Parliament to grant their request; and he thought it would then be seen that the Synod were not carrying out the trust in accordance with the spirit of the Act and the desires of those most interested. He gathered from the feeling of the Council that his motion would not be carried, and he would accept their decision on the voices.

Adjournment of debate negatived, and motion negatived.

LOCAL BILLS.

The Hon. Mr. ACLAND, in moving the motion standing in his name, said he did so with some pain, inasmuch as he was obliged to call in question the propriety of one of the members of the Committee entirely absenting himself. He did not wish to say very much about it. His object was more to ascertain what the opinion of the Council was in the matter. As the Council was aware, there were three Committees on Local Bills. They had very important duties to perform, and on the Committee of which he was Chairman it was a matter of great importance that a gentleman who was known to have great ability connected with the investigation of these Bills should give the Committee the valuable assistance they expected from him. What the proper course was for the Council to adopt he was at a loss to

Hon. Mr. Reynolds

know. He begged to draw the attention of the Council to the Committee's report.

Motion made, and question proposed, "That the interim report of the Local Bills Committee (A), presented the 18th November, be considered."—(*Hon. Mr. Acland.*)

The CLERK read the report of the Committee, which stated that the Hon. Sir F. Dillon Bell, a member of the Committee, had absented himself from three of its meetings, notwithstanding that he had been summoned each time to attend.

The Hon. Mr. G. BUCKLEY said, as a member of the Committee, that the other members and himself had looked forward to obtaining the valuable services of the Hon. Sir F. Dillon Bell, and felt very much disappointed at not being able to do so. He begged to move, That the honorable member be ordered to attend Committee (A) on Friday next.

The Hon. the SPEAKER said that perhaps the honorable gentleman would like to offer some explanation.

The Hon. Sir F. DILLON BELL presumed the proper course was for him now to withdraw; and, with the Hon. the Speaker's permission, he would take that course. This was the first occasion during the existence of the New Zealand Legislature in which a proceeding like this had been taken. He would ask the Hon. the Chairman of the Committee to accept his assurance that he was not actuated by any feelings of disrespect towards him in acting as he had done; but he could not say that he intended to take any other course than he had taken already. He had asked the Hon. the Attorney-General not to put his name on the Committee, as he was not competent to do the work in the manner intended: at the same time those members who considered themselves competent to do it were entitled to receive from him any assistance he could give them; and there were many honorable members who could, and, he believed, would, say, when he left the Chamber, that he had endeavoured, with the utmost courtesy, to give them every assistance he could. But it was the first time that the leader of the Government had attempted to force a member of the Council to do a work which he had expressed himself unwilling to undertake and incompetent to perform, and he felt that very great pressure had been brought on him by the Hon. the Attorney-General in refusing the request he made to have his name withdrawn, and thereby forcing him on the Committee. It would have been a farce, at his time of life, and after his long service to Parliament, if he had merely attended the Committee and bowed himself out. He had not been in the habit, as was the case with some honorable members, of doing two minutes' work on a Committee and then retiring. So far as the Council had been pleased to put him on Committees he had endeavoured to do the work he was competent to perform; but this work he was not competent to do, and he would not do it. If the Council thought it right, after twenty-five years' service, to inflict upon him the great indignity of "ordering" him to attend this Committee, he should of course, as in duty bound, attend. He was not actuated by

ill-feeling, but he would respectfully say that the Council could not expect him to do work which he felt incompetent to do, that he would not do it in that way, and, if the Council passed this order, he should have to choose what course he should follow: whether to go through the farce of attending the Committee, and making his bow to the Chairman, or, if the Council proceeded in the course suggested by the motion of the Hon. Mr. G. Buckley, to ask the Council to receive his respectful farewell.

The Hon. Sir F. DILLON BELL then withdrew.

The Hon. Mr. WATERHOUSE hoped that the resolution would be withdrawn. No member was so hard-working on Committees as the Hon. Sir F. Dillon Bell. It was very invidious that a man who was a harder-working man on Committees than any other should be thus singled out, although possibly in a joking spirit, for the censure of the House. If the honorable gentleman had, in any degree, ever shown that he was indisposed to place his services at the disposal of the House, there might be some reason for this motion; but there was no member placed on a larger number of Committees, and no member more assiduous in his attention to the duties of those Committees, than Sir F. Dillon Bell. As regarded some of the Committees, he could well understand the utter impossibility of the honorable member attending to them without neglecting other more important duties to which he was appointed, and he could imagine that the very effect of the House ordering him to attend this Committee would be that he would not be able to attend some other Committee of more importance on the same day. He thought it would be admitted that no other member devoted more of his time and energies to the work of the country than the Hon. Sir F. Dillon Bell.

The Hon. Mr. G. BUCKLEY said he should not press the motion; but, on the report of the Chairman of the Committee, there were two steps open to be taken: either to ask that the honorable member should be ordered to attend, or for the Chairman to move that his name should be discharged, and that some other honorable member should be appointed in his stead. He did not move his motion with the view of censuring the honorable member. When the Local Bills Committee consisted of only five members, the honorable gentleman took a most active part in the business; but, when the labour was divided amongst three Committees, he objected to take any part in one of the three.

The Hon. the SPEAKER said the House would permit him to make an observation. It was quite a matter of duty on the part of the Chairman of this Committee to bring up the report he had brought up. It seemed to him to have been done strictly in obedience to, and not evading the performance of, a painful duty. At the same time, taking everything into consideration, he thought the Council would act rightly in not pressing its undoubted right. Unless that right were generally observed, it was manifestly impossible for the business of the country to go on. In this case, however, sufficient would have been done without the Council pressing its power to

the extreme. If he might be permitted, he would say, with every respect, that it would meet with his entire approval if the Council decided that it did not desire to press the matter further. He bore his willing testimony, so far as the business of the country was concerned, to the very assiduous, painstaking, industrious, and able manner in which the Hon Sir F. Dillon Bell had performed a great deal of work. There was on the table a return, prepared in obedience to a request of the Council, of the number of attendances on Committees; and he found that the honorable member had been on ten Committees, that the number of meetings of these Committees had been altogether forty-nine, and that he had given attendance thirty times. He thought this showed a very considerable number of attendances. Many of the sittings were at one and the same time, and, with the exception of three meetings, the Hon. Sir F. Dillon Bell had attended them all. Probably he had been present at Committees as great a number of times as it was possible for a member to have attended.

The Hon. Mr. WHITAKER said, when the Hon. Sir F. Dillon Bell expressed a wish not to be placed upon the Committee, he made an excuse which was scarcely tenable. He said he could not do the work: but the honorable gentleman was a principal member of the Committee which did the work of the three present Committees; therefore, if put upon one of these Committees, he would only have to do one-third of the work he had done before. Under all the circumstances he did not think the honorable gentleman's excuse was a valid one. Speaking for himself, he might say that he only sat on the Committee as a matter of duty; he was at the same time perfectly well aware that he could often spend his time much more advantageously in attending to other matters. There was no doubt that the Hon. Sir F. Dillon Bell was the hardest-working member of the Council; he took a great deal of trouble and attended a great many Committees; and if he had come forward with the legitimate excuse that he was on a great many Committees, and that he could not attend to the duties of the Local Bills Committee, that excuse would have been accepted. He had no objection to the honorable gentleman's name being struck off the Committee; but he must protest against the doctrine that a member could abstain from attending a Committee whenever he pleased.

The Hon. Mr. MANTELL agreed with the doctrine laid down by the Attorney-General, and appealed to members of the Council to say whether, when his request to be withdrawn from a Committee had been refused, he had not performed his duties in an efficient and cheerful manner. It would have been wiser if Committee (A) had borrowed a little from Committee (B) in this respect, and then they would have heard nothing of this matter again. However, he must say that he thought there was something like a religious persecution in the case of the Hon. Sir F. Dillon Bell. He seemed to be a strict Unitarian with regard to this particular Committee; and to be forced to conform to Trinitarian doctrines

seemed to savour very much of persecution. Nobody recognized more fully than he did the value of the Hon. Sir F. Dillon Bell as a member of the Legislature. He was very painstaking, whether in the Council or on Committees; but, as the Council knew, there were what the French called *les défauts de ses qualités*, and this happened to be one of the *défautes* of his honorable friend. He hoped the honorable gentleman would return to his duties, and, even if they were unpleasant, perform them, as he (Mr. Mantell) did his.

The Hon. Mr. GRAY said, as this was the first occasion on which such a question had arisen, perhaps the Hon. the Speaker would give his ruling as to what was the penalty that could be incurred in such a case. He had been looking through the Standing Orders, and could not find anything on the subject.

The Hon. the SPEAKER replied that if the Council in its wisdom desired to proceed further in the matter it was not powerless. On the contrary, there was great power in the hands of the Council. No member could set himself up against the will of the Council with impunity.

The Hon. Sir F. DILLON BELL having entered the Chamber,

The Hon. the SPEAKER said the Council purposed discharging the name of the honorable member from Committee on Local Bills (A), and therefore he would not be required to attend. However, the Council had power to punish members who refused to attend to their duties, and this case was not to be regarded as a precedent.

The Hon. Sir F. DILLON BELL begged to return his respectful thanks to the Council for the action they had taken in the matter; and he trusted the Council and the Chairman of the Committee would receive his assurance that it was only on account of the personal feeling that had arisen in connection with this matter that he had taken the step he had, and not from any intention to be disrespectful either to the Council or the Chairman of the Committee.

The Hon. Mr. ACLAND asked leave to move, without notice, That the name of the Hon. Sir F. Dillon Bell be discharged from Local Bills Committee (A), and that the name of the Hon. Mr. Nurse be placed on the Local Bills Committee in place thereof.

The Hon. Mr. G. BUCKLEY thought this very irregular. It would be a dangerous precedent to establish, and therefore he thought notice of motion should be given.

The Hon. the SPEAKER inquired whether the honorable gentleman wished to press his objection.

The Hon. Mr. G. BUCKLEY replied in the affirmative.

The Hon. Mr. ACLAND then gave notice of motion accordingly.

RAILWAY TARIFF.

The interrupted debate was resumed upon the question, That it is desirable that this Council should be informed whether the Government will take into consideration the present tariff of charges on the railways, with the view of in-

creasing the rates so as to make the working of the several lines realize a fair profit, or at least contribute their full share of receipts in aid of the revenues of the colony.

The Hon. Mr. WILLIAMSON was understood to say he hoped the Council would not accept the motion, because he thought it would be a step in the wrong direction if it led to an increase of the rates of charges on the railways. He thought the charges should be as low as possible. There were great anomalies in the present tariff.

The Hon. Mr. HOLMES thought the Council was indebted to the Hon. Mr. Buckley for bringing forward this motion. He thought that it would have a very good effect, by calling attention to the fares charged for passengers, and the tariff of charges for the carriage of produce. Under the railway policy of the Government when first established, the primary object was to give a ready means of communication throughout the country, and to facilitate the carriage of goods at a cheap rate. Were the system thoroughly established it might be good policy that the tariff should be increased; but, in the meantime, he thought, with some honorable members who had preceded him, that the tariff should in no case be prohibitory, but that every facility should be given to parties travelling, and to residents in the interior of the country to get their produce to market at the lowest reasonable rate consistent with the railways paying current expenditure. The railway system of New Zealand had been contrasted with that of America, and also with that of Victoria; but it would be found upon consideration that the state of affairs was altogether different in America from what it was here. For example, in America the lines were all broad gauge. It was well understood that a broad-gauge railway, with 70-lb. or 75-lb. rails, could be worked at a cheaper rate in proportion than a narrow-gauge railway, with its 40-lb. rails. And another reason why the railways in America would pay at rates which would not pay in New Zealand, was the immense traffic passing over the railways there, which enabled the companies to carry at a less rate than could possibly be charged in this country. The same thing obtained in Victoria. Some of the railways there were the most expensive lines in the colonies, being of 5 feet 3 inch gauge, some portions costing as much as £40,000 a mile, while a considerable portion cost £24,000 per mile. These railways were intended to last for many years with little cost for maintenance, and, of course, such lines could carry traffic at a more reasonable rate than those in New Zealand, and yet pay better. Another peculiarity in the New Zealand system was, that the Government had to employ a staff which, although needed for present wants, would suffice to overtake three times the traffic. There was thus a positive loss; and it was not fair to contrast the railways in New Zealand in their present state with those of Victoria, New South Wales, or America. Looking at the returns up to the 30th June last, he found that the North Island railways paid a clear profit of 1½ per cent., and the South Island lines 3 per cent. During the last month or two,

Hon. Mr. Mantell

owing to the depressed state of business, a great falling-off had taken place, and on one of the best lines of New Zealand 95 per cent. of the takings were expended on the line. This, however, was only temporary, and he felt satisfied that, with the prosperity which a large wool-clip and a splendid harvest would give, in a very short time the railways would come up in point of profit to what they had been in the past, and pay 3 per cent., or even more, in the Middle Island. He held in his hand the tariff of charges on the New Zealand railways which it was intended should come into force on the 1st of December. The passenger rates were to be as follow: First-class single ticket, 3d. per mile; second-class, 2d. per mile; first-class return, 4½d. per mile; second-class return, 3d. per mile. He believed that was quite as low as the tariff in any part of Australia. Then, with regard to goods. On making inquiry he found that the rates for the higher classes of merchandise were precisely the same as had been adopted in Victoria and New South Wales; while, as to agricultural produce, coal, wool, stone, and other articles of that description, they were a shade lower. He was satisfied that honorable members would not take any exception to the action of the Government in having adopted a liberal tariff. The rate for agricultural produce for a distance not more than 50 miles was 2d. per ton per mile, for more than 50 miles 1d. per ton per mile: for wheat, reckoning ten four-bushel bags to the ton; for barley, twelve four-bushel bags to the ton; and for oats, fourteen four-bushel bags to the ton, the same rate. Then, again, for wool, not more than 50 miles, 1d. per bale per mile; for more than 50 miles, ½d. per bale per mile. Then, for timber, under Class K, for not more than 30 miles, ¼d. per hundred superficial feet per mile. For live stock, for not more than 10 miles, 1s. 6d. per truck per mile; for more than 10 miles and not more than 50 miles, 5d. per truck per mile. Minerals, for not more than 25 miles, 2d. per ton per mile; more than 25 miles and not more than 50 miles, 1½d.; more than 50 miles, 1d. In cases where the trucks belonged to the parties an allowance was to be made. This was a subject to which the Hon. Mr. Williamson referred when he said that a coal mine at the Waikato was of no value in consequence of the heavy charge for railway carriage. When it was found that for a distance of not more than 25 miles the charge would be 2d. per ton a mile, and for not more than 50 miles 1½d., he thought the difficulty referred to by that gentleman would exist no longer. He (Mr. Holmes) had made special inquiry as to whether such rates would leave a profit to the Government, and he found that for those articles—minerals, agricultural produce, and so forth—the scale of charges was fixed so low that they would simply cover the working expenses of the railway and leave a very small margin for profit. Of course some people might imagine that these articles should be made to pay a higher rate; but his own opinion was that, for opening up a coal mine, and enabling the people to get building stone to the towns, the cost was quite high enough. It was desirable in the present state of

the colony that the lowest rate should be charged consistent with the maintenance of the lines and the payment of current expenses in respect to such articles as these, while for the finer descriptions of merchandise a higher rate might be charged by the Government—as high a rate, in fact, as was exacted in any of the other colonies. He might put this class of produce in another form, so that honorable members might see how the matter worked out. It might be put as follows: Class E (agricultural produce, &c.), for fifty miles, 12s. 11d. per ton = 64s. 7d. per truck-load of five tons; for cattle, 31s. 8d. per truck-load; sheep, 23s. 4d.; native coal, 36s. 8d.; minerals, 41s. 8d.; firewood, 36s. 6d. Of course it was well understood that the Government must adopt a specified rate, and leave no option to the officials. That had been referred to by the late Minister for Public Works in another place, when he said that a little before the session commenced the contract for the carriage of a large quantity of wheat—1,800 tons, he thought—could have been secured by the Government, from Timaru to Christchurch or Lyttelton, and could there have been shipped, had there been discretionary power in the hands of the officials to alter the scale of charges. However, they did not secure it. A ship was sent to Timaru and took the wheat away, so that the railway lost what might have been a very profitable transaction. That might have been the case; but still he thought it would be better to stand such a loss as that rather than to sustain a much heavier loss, perhaps, in another direction. Honorable members would no doubt be aware of an instance which might be given on the opposite side, where ten thousand sheep were taken a considerable distance at what was believed to be a loss to the Government, to say nothing of the fact that the whole of the traffic of the Middle Island was deranged for two or three weeks in consequence. His impression was, looking forward to the future of this question, that the object of the Government should be to regulate the tariff so that the railways should yield a profit of from 2 to 2½ per cent. clear, after paying for maintenance and working expenses. He thought there would be little difficulty in accomplishing that for the future, when the various lines and their feeders were in proper working order. The question was one of considerable importance to the colony, and the honorable member had done good service in drawing the attention of the Council to it.

The Hon. Mr. WHITAKER had no objection to the resolution; but he thought the words "with the view of increasing the rates" should be struck out, so that the Council should not commit itself to an expression of opinion in favour of an increase of the rates.

The Hon. Mr. G. BUCKLEY said he would accept that amendment.

Motion, as amended, agreed to.

HAWKE'S BAY AND MARLBOROUGH RIVERS BILL.

On the Order for the second reading of this Bill being read,

The Hon. Sir F. DILEON BELL said the

point involved in it was, that the Local Bills Committee had most properly said that this was a public Bill. If the Council would allow the second reading to pass, his honorable friend Mr. Holmes had asked him to recast it, with a view to practically converting it into a local Bill.

The Hon. Mr. WHITAKER said that this was strictly a local Bill, because there was now no power of extension to other parts than to those to which the Bill now applied.

The Hon. Mr. MENZIES said there was no doubt whatever that it was intended to bring the Bill into local application only.

The Hon. Mr. WATERHOUSE remarked that there was something to be said upon this Bill. He thought it would be well that the Council should know what was its proposed scope and bearing. In the shape in which they were asked to pass the Bill at the present time, it appeared to him to be open to objection, and certainly it would require considerable amendment in Committee. When first introduced, he made some memoranda upon the Bill, to which he would call the attention of honorable members. The Hawke's Bay and Marlborough Rivers Act, as honorable members were aware, was passed prior to the general Rating Act of 1876. That Act entirely altered the rating provisions of this Act. Under the Hawke's Bay and Marlborough Rivers Act, there was a rating power according to the acreage for country lands, and according to the valuation for town lands; but under the Rating Act all these acreage provisions were entirely done away with: consequently it was necessary that the Hawke's Bay and Marlborough Rivers Act should be recast, or it would be an unworkable measure. He did not know whether that Act was in operation just now to any extent. He suspected it was in operation. Wherever it was in operation there was no doubt whatever that those rates at the present time were quite illegal; and if they were legislating in reference to this measure, it was well at the same time that they should remedy this undoubted defect in the existing legislation, so as to make the rates legal and valid. Under this Bill there would be three modes of borrowing authorized: there would be the power of borrowing in the original Act, there would be the power of borrowing by resolution, and there would be the power of borrowing in accordance with the provisions of the Municipal Corporations Act. It was worthy of consideration whether it was desirable that these different powers of borrowing should be given to the same Corporation. If there was to be borrowing under the Municipal Corporations Act, there was another important change effected. Under the Hawke's Bay and Marlborough Rivers Act there was provision as regarded a sinking fund. There was a provision that loans should be authorized subject to a sinking fund being provided which should have the effect of wiping away the debts in something like fifteen years. As regarded these waterworks, honorable members would see that the works were not permanent in their character, and that it would be unjust—in many cases ruinous to the district eventually—were there an absence of provision for a sinking fund.

Hon. Sir F. Dillon Bell

Otherwise the debt would be so great that it would be impossible to keep it within fair bounds. If, however, loans were to be raised under the provisions of the Municipal Corporations Act, as herein proposed, then the effect would be that there would be no sinking fund, that there would be no limit to borrowing, and the powers of the Corporation would be very greatly increased. These powers might work well for a short time, but their eventual working would be so to load these bodies with permanent debt that they would be unable to discharge their liabilities. The old Act provided that all loans should be on mortgage. It was now proposed that the loans should be on debentures. That was another important alteration from the original Act to which attention had not been called. He had called the attention of honorable members to these matters, because he thought they should be borne in mind in passing the Bill through Committee. Honorable members would see that there was much more to be done by this measure than had been indicated by either of the previous speakers.

The Hon. Sir F. DILLON BELL said that he specially avoided going into details upon the second reading, because it was intended to recast and change the Bill altogether. He was much obliged, however, to the Hon. Mr. Waterhouse for going into these points. He had told the Hon. Mr. Holmes that it would be impossible to carry out the Bill as at present framed: and, in recasting the Bill, he intended to provide for what his honorable friend Mr. Waterhouse had drawn attention to.

The Council adjourned at five minutes to five o'clock p.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 19th November, 1879.

First Readings—Second Readings—Third Readings—Native Affairs Committee: Summoning Witness in Custody—Pullman Cars—Collingwood—Karama Road—Gaol Officials—Native Land Purchases—Property—Tax—West Coast Native Reserves—Native Land Purchases—Artillery Corps—Spirits and other Duties—Native Petitions—Nelson South-West Gold Fields—Grahamstown—Te Aroha Railway—Auckland Roads and Bridges—Native Expenditure—Mr. Rees's Charge for Legal Advice—Marquis of Normanby's Departure—Deferred Payment Land—Electors—Auckland Defence Force—Late Elections—Railway Free Passes—Parliamentary Papers to Local Bodies—Native Reserves, Middle Island—Hokitika and Greymouth Railway—Otago Harbour Board Petition—Timaru County—High School Endowments Investment Bill—Miners' Rights Fees Reduction Bill—Land Claims Arbitration Bill—Protection of Animals Bill—Abolition of Imprisonment for Debt Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Taranaki Iron Smelting Works Bill, Building Societies Bill, Members of General Assembly Expenses Bill.

SECOND READINGS.

Marlborough Rivers District Union Bill, Otago University Reserves Leasing Bill, Kumara Education Reserves Leasing Bill, Hokitika Harbour Board Endowment Bill, Patents Bill, District Law Societies Bill, District Courts Proceedings Validation Bill.

THIRD READINGS.

District Courts Bill, Timaru Waterworks Bill, Hamilton Volunteer Hall Site Bill, Protection of Animals Bill.

NATIVE AFFAIRS COMMITTEE: SUMMONING WITNESS IN CUSTODY.

Mr. HAMLIN moved, without notice, That the gaoler of the Wellington Gaol do bring George Buckland Worgan, now a prisoner in that gaol, in safe custody to the Native Affairs Committee on Thursday, the 20th day of November instant, at eleven of the clock in the forenoon, in order to his being examined as a witness, and so from time to time, as often as his attendance shall be found necessary by the said Committee; and that Mr. Speaker do issue his warrant accordingly. He might explain that the Committee had now examined most of the witnesses, and that it was necessary that they should have this person before them to-morrow. He believed the proper course to pursue was to repeat the resolution that was passed a few days ago, simply substituting the word "Wellington" for "Wanganui," and fixing the date, as specified in the motion.

Motion agreed to.

PULLMAN CARS.

Mr. PYKE asked the Minister of Public Works,—(1) Whether the Pullman cars recently imported from America are fitted with cast-iron seats and kerosene lamps; (2) whether the Minister is of opinion that cast-iron seats and kerosene lamps would add to the bodily comfort and safety of passengers in the event of a collision or other accident involving a general smash; (3) whether he will lay before this House a copy of the specifications of the Pullman carriages and of the sections of the tunnels, as sent to the New York agent, together with a statement from the Engineer in Charge of the Middle Island of the height of each tunnel on the Christchurch-Invercargill Railway, also the height of the carriages as imported? He did not want the height of the Lyttelton Tunnel to be furnished, because it was not on the Christchurch and Invercargill line. He wanted the height of the tunnels on the line for which these carriages were specially imported; and he believed that, when the information he asked for was supplied, it would be found that no blame whatever rested on the New York agent, but upon the Public Works Office in this colony.

Mr. OLIVER said that, with regard to the first part of the question, he would answer it in the affirmative. But the danger which would result from the breaking-up of the seats was minimized by the fact that these cast-iron seats were set in wooden framework. As to the second question, he did not know whether it was a matter of great importance what his opinion on that sub-

ject might be. With regard to the third question, he would be most happy to lay a copy of the specifications, &c., on the table.

COLLINGWOOD-KARAMEA ROAD.

Mr. GIBBS asked the Government, Whether they will cause an exploration to be made of the country lying between Collingwood and the Karamea, by way of the Heaphy Valley, with a view of ascertaining the possibility of opening up an available road through that country, and also opening up the lands along the route of settlement?

Mr. ROLLESTON said the Government had a considerable amount of information on this subject already—sufficient, he was told, to enable them to judge of the expediency of opening up the road from the Collingwood end so far as there was good land available for settlement. That was the result of the information at present in the possession of the Government, but he would be glad to make further inquiry into the matter.

GAOL OFFICIALS.

Mr. TOLE asked the Minister of Justice, If the Government will make provision on the estimates for the equalization of the salaries of gaol officials throughout the colony? This question had been frequently asked before, and it had been agreed to be dealt with by several Governments in favour of the gaol officials; but as yet he had not seen any result arising from those promises. He would be glad to receive a favourable reply from the Government.

Mr. ROLLESTON replied that the Government were quite sensible of the inequalities which existed in regard to the salaries of gaol officials, and generally in the administration of the gaols throughout the colony. There had been a great want of uniformity in the treatment of the officials, and also in the character of the gaols. In the estimates that were being circulated the honorable member would see that a sum was put down which would enable the Government during the recess to deal with this question upon general principles. The Government had not, of course, yet had time to consider the matter in detail, but the sum which had been placed on the estimates would enable them to deal with it on some uniform principle.

Mr. TOLE would ask the honorable gentleman if he would pursue a similar course with regard to the wardens of lunatic asylums.

Mr. ROLLESTON said this question did not come within his department, and he had not had it under his consideration. The Government would, however, give the matter their attention.

NATIVE LAND PURCHASES.

Mr. GISBORNE asked the Native Minister, Whether the Government will, during the present session, bring in a Bill to amend the existing Native-land-purchase system? By the words "Native-land-purchase system" he meant to include public purchases of Native lands, as well as private purchases.

Mr. BRYCE replied that the Government were most anxious to obtain some amendment

of the system, both with regard to public and private purchases of Native lands, and they were fully convinced of the great importance of the subject. Indeed, it was that very conviction which rendered it, in their opinion, somewhat doubtful whether a Bill of the kind could be introduced during the present session. If there appeared to be any probability of sufficient time being devoted to it by the Assembly, the Government would introduce the Bill; but at the present stage of the session it did not seem to the Government likely that the Assembly would be prepared to devote sufficient time to the subject, and therefore it was not likely that a measure of the kind would be introduced during the present session.

PROPERTY-TAX.

Mr. GISBORNE asked the Colonial Treasurer, To what specific American Act he referred when, in his Financial Statement, he asked the House to impose a property-tax upon the American model? If the honorable gentleman would be good enough to indicate the Act, it would be useful to honorable members to refer to it when they came to consider the property-tax which was to be founded on that Act.

Major ATKINSON said he referred to the New York Statute of 1869.

WEST COAST NATIVE RESERVES.

Mr. TAINUI asked the Native Minister, If the Government will bring in a Bill empowering the issue of Crown grants for the Greymouth Native reserves, and other reserves on the west coast of the Middle Island, in accordance with the adjustments made by Mr. Commissioner Young; if not, if he will state his reasons for withholding the said Crown grants?

Mr. BRYCE said he had been advised by the Law Officers of the Crown that no such measure was necessary, that the requisite powers existed under the present law, and that it was not necessary to introduce a Bill to confer upon the Government powers which they already possessed. As to the second part of the question, he might say that Mr. Commissioner Young did not succeed in making any definite subdivision of these reserves: indeed, it was found that it would be entirely impossible to do anything of the sort. It was true that Mr. Young had made what might or might not be called a proportionate subdivision—that was to say, he had assigned to one person thirty acres, to another twenty-five acres, to another fourteen acres, and so on; but it must be obvious that it depended altogether upon where these particular portions were selected as to whether the larger or the smaller portions would be most valuable. Those subdivided had not been surveyed or defined, and there was no probability of that being effected. It would therefore be impossible to issue the grants to the individuals indicated. He understood, from a private conversation he had had with the honorable gentleman, that he desired to have the Crown grants issued to the whole of them; but the Government believed that the issue of the Crown grants in that way would serve no useful purpose, but would rather increase the

Mr. Bryce

confusion and difficulty of dealing with the reserves.

NATIVE LAND PURCHASES.

Mr. KELLY asked the Native Minister, Whether the Government will lay a return and map before this House, showing the blocks of Native land purchased from the Natives in the North Island since 1870, indicating their position, acreage, and cost; also a return and map showing the blocks of Native land for which negotiations have been entered into, showing position, acreage, price per acre agreed on, ultimate liability, and amount paid on each block respectively? He asked the question in consequence of a statement made to the House by the Native Minister, to the effect that a very large amount of land of very inferior quality had been purchased at a very high price; and that an enormous liability, amounting to about a million of money, had been incurred in consequence of negotiations entered into to purchase land. There was no detail given as to the advisableness or otherwise of completing these purchases; and he hoped the Government would give all possible information in regard to the matter, so that the House might satisfy itself as to whether these purchases should be completed or not.

Mr. BRYCE said he thought perhaps the honorable gentleman was not aware that a return had been laid on the table of the House giving in detail much of the information the honorable gentleman asked for. It did not, however, embrace the question of liabilities. That was the single omission: all the other information which could be included in the return was there. The ultimate amount of the liabilities was not stated, and it would be impossible to ascertain it with greater exactness than he had indicated in the Statement he made to the House. He understood that during the next few days the report of a Committee would be circulated which would show, amongst other things, the amount of the liabilities in detail. That report would give the information the honorable gentleman asked for on that point. He held a map in his hand, but it only referred to the Wanganui purchases. He would lay that on the table now, but another map would be prepared if the honorable gentleman desired it.

Mr. KELLY said he was aware that a return had been laid on the table, but it was not sufficiently explicit without a map. He wished to see a map of the whole, in the terms of the question.

ARTILLERY CORPS.

Mr. SHANKS asked the Government, What steps they intend to take with a view to supplying the Volunteer artillery batteries with a proper complement of field-guns, and whether a sum will be placed upon the estimates this session for procuring the necessary guns; also, if the Government propose any increase in the capitulation at present paid to artillery corps; and, if so, to what extent?

Mr. HALL said the Government had had this question under consideration, and they hoped during the present year to make some pro-

vision with regard to guns. With regard to the capitation at present paid, they quite recognized the claims of these corps, but, in the present financial condition of the colony, they regretted that they could not recommend the House to make any increase in the capitation grant.

SPIRITS AND OTHER DUTIES.

Mr. GEORGE, in moving the motion standing in his name, said it had been currently reported in the lobbies and outside of the House that, previous to arriving at any final result, the Government had held two caucuses for the purpose of considering their financial measures, and that at these caucuses they had submitted to their party the question of reimposing and increasing certain duties. He could hardly believe that any Government would take the advice of their party in regard to what their financial measures should be, and certainly not in regard to an increase or imposition of Customs duties. There was no doubt that, as the result of these caucuses, large quantities of tea, sugar, spirits, and tobacco had been removed from the Customhouses in various parts of the colony during the last three weeks. He would not occupy the time of the House further, but would move the motion.

Motion made, and question proposed, "For a return, in tabulated form, showing the value of and duty paid to the Customs on spirits, tea, and sugar, which have been cleared from the various bonds in the colony, for the respective weeks ending 27th September, 4th October, 11th October, 18th October, 25th October, 1st November, 8th November, and 15th November; and also the value of and duty paid on the above-named articles for the corresponding period of the year 1878."—(*Mr. George.*)

Mr. HALL said the Government would have no objection to the return. He did not hear the whole of the honorable gentleman's speech; but perhaps the honorable gentleman would repeat his statement as to where "it had been reported" that the Government had communicated their intentions to their supporters.

Mr. GEORGE said it was currently reported in the lobbies and in the town. The statement had also appeared in the newspapers.

Mr. HALL said he had seen the statement in newspapers, but he understood that the report originated with members of the Opposition; and, if anybody was responsible for the loss of duty which the colony had sustained, certainly it was honorable members who circulated these reports for the purpose of making political capital out of them. A grievous and serious responsibility rested upon those gentlemen. He was really sorry that the interests of the colony should be sacrificed by the endeavours on the part of those honorable gentlemen to attach political odium to their opponents. He hoped, when his honorable friend had been longer a member of this House, he would rise to considerations of that kind, and would remember that the interests of the colony and of the public revenue should be superior to any small advantage against political opponents that might be obtained by circulating such reports. He was

sure, if the Government had had the advantage of the honorable gentleman's presence at these meetings with their friends, he would have found that what he suggested as to the way in which they dealt with their supporters was quite incorrect. The Government called their friends together and ascertained their views, but did not by any means consider it their duty to communicate to them information that might lead to a loss of revenue.

Mr. MONTGOMERY, as a member of the Opposition, must deny that he had circulated any such reports as the Premier attributed to members of that party. The honorable gentleman made assertions which he was not able to prove, and endeavoured while speaking to cast imputations upon the Opposition of having done something that would interfere with the revenue of the colony. The honorable gentleman should not cast such reflections on the Opposition; and as a member of that party he (Mr. Montgomery) denied having done anything that would injure the interests or revenue of the colony.

Mr. SHRIMSKI moved that galvanized iron be included in the return.

Amendment agreed to, and motion, as amended, agreed to.

NATIVE PETITIONS.

Mr. TOLE moved, That the time has arrived when it is no longer desirable that petitions from persons of the Native race should be exempt from conforming to the same rules and orders of the House as are required in relation to all other petitions. He hoped the members of the Maori race would not consider that in doing so he was in any way endeavouring to infringe upon the privileges of the Native race. The proposal was rather to curtail the abuses of those privileges. He presumed the rule relaxing the strictness of the Standing Order in relation to Maori petitions was passed at a time when the members of that race were removed from civilization, and had not their present opportunities of thoroughly knowing the rules of the House; but he considered the time had arrived when this indulgence should cease. The rule had been in existence for a great many years. As far as he could gather from the Standing Orders at his command, it had existed long prior to 1864 or 1865. In recent sessions, however, the rule had been very much abused. The language which was used in some of these petitions had been knowingly and, he believed, needlessly intemperate. Honorable members of the House had been maligned, and the House itself attacked and even condemned in the very strongest terms. If language of that kind had been used in petitions from Europeans, they would have been at once rejected. It was a remarkable fact that petitions containing language of this intemperate character had been presented by honorable members of the European race, but he did not recollect a single instance in which a Maori member of the House had presented a petition in any way indecorous. It had therefore pressed itself upon him that this rule, which had been abused by Europeans, should no longer exist. There were now four members

of the Maori race in that House and four in the Legislative Council, to whom the Maoris could appeal for information with regard to the Standing Orders on petitions, and there was therefore no longer any reason why those Standing Orders should be relaxed. If the resolution were passed, it would, he believed, be a step in the right direction, as it would place both races on an equality, while it would inflict no hardship or injustice upon the Natives specially. It would also prevent the rule from being worked by the "knowing" ones of the House to their own advantage, and in furtherance of their designs, and in direct violation of a rule which was supposed to be for the indulgence of the Native race alone.

Mr. TAWHAI seconded the motion, and quite agreed with the mover that there should be one rule in regard to the petitions from both races, attacking any members of the House. Some of the petitions from the Natives were quite correct, but others were wrong in making accusations against members of the House, and honorable members should not be allowed to bring them in, as they caused disturbance.

Mr. SPEAKER pointed out that, as this was a proposal to alter a Standing Order, it could not be put unless two-thirds of the House were present. As that number were not present it could not be put. It would be better for the honorable gentleman to move that the resolution be referred to the Standing Orders Committee.

Mr. TOLE would agree to that course.

Mr. BRYCE sympathized very largely with the resolution, and thought that Maori petitions ought to be assimilated in their form to those from Europeans. He was not, however, quite sure that the time had yet arrived for that being done, although no doubt it was rapidly approaching. While he would like to see the position in regard to Maori petitions assimilated to that of European petitions, still he thought it would be undesirable to shut out petitions which might be of great importance, simply on account of some little want of form. The Native member who had spoken, and also the mover of the resolution, referred to a particular kind of petitions, and there was no doubt that sort of petition was very objectionable; but a too strict adherence to the Standing Orders might shut out other petitions. He did not know whether the Native honorable member had that in view when he spoke. For instance, he (Mr. Bryce) had been informed that if the cast-iron rule were enforced at least three-fourths of the Maori petitions presented would be rejected simply for want of form. He did not know whether the honorable member would think that desirable. It would be well, however, that the matter should be referred to the Standing Orders Committee; and he would not, therefore, oppose the motion, although he was rather in doubt whether it could be given effect to immediately or not.

Mr. MACANDREW would move the addition of the following words to the resolution: "and that the subject be referred to the Standing Orders Committee for their consideration." It was highly desirable that this resolution should be passed, and that Europeans should not have an

opportunity of making Maori ignorance of our customs a cloak for presenting some very unfair petitions to the House.

Mr. MOSS, as Chairman of the Petitions Classification Committee, might explain that the members of that Committee were often placed in great difficulty in regard to these petitions. Some of them were simply absurd, such as the petition asking that the House should stop debating on certain subjects, and go on with business; or expressing disapproval of what the late Government had done. Petitions of this kind had been presented by the honorable member for Wairapa (Mr. Beetham). Again, there were Native petitions reflecting most seriously upon the characters of members of the House, and of persons outside of it; so much so that the Classification Committee felt a delicacy in sending them forward, because similar petitions from Europeans had been stopped, and because, if forwarded by the Committee, they became records of the House, and the persons attacked might have no opportunity of vindicating their characters. He believed the Maoris were much more intelligent in these matters than many persons gave them credit for; and, if they once understood that care must be used in framing their petitions, they would have no difficulty in getting Europeans to help them.

Amendment agreed to, and motion, as amended agreed to.

NELSON SOUTH-WEST GOLD FIELDS.

Mr. J. B. FISHER, in moving the motion standing in his name, said the report of the Committee which had taken evidence on this subject had been printed; and he thought it would be quite sufficient, if honorable members read the evidence, to insure the acceptance by the House in Committee of his proposal that the Government should be asked to give effect to the report by placing a sum of money on the estimates. He knew that a large amount of prejudice had existed against the further construction of water-races, on account of the enormous cost to the country of water-races on the West Coast: but the fact that they had cost so much was no argument against the construction of races. It was well known that one race had cost sixty or seventy thousand pounds more than it should have done, through a mistake in ordering material in England. Another cause of the prejudice against water-races was, that they appeared to yield but a small return upon the outlay. Now, with reference to that, a great deal of light had been thrown on the subject during the last few months by the report of Mr. C. Y. O'Connor, which appeared in the Appendix E to the Journals of 1879, p. 45. In that report he said,—

"With reference to water-races generally, but more particularly with regard to the Nelson Creek and Waimea Water-races, which are the only ones in this district hitherto constructed and worked by the Government themselves, there is a subject which is worthy of some consideration, and upon which some hitherto unattainable data have been collected during the last few months—namely, the collateral advantages

Mr. Tole

derived from water-races over and above any net revenue which they may yield towards paying interest on their cost.

"To get some idea of this, the managers of the two races in question were instructed some considerable time back to endeavour to ascertain by every means in their power the actual number of men kept at work in the mines by the use of Government-race water, and the number of ounces of gold thus obtained, and, after experimenting upon various methods of acquiring this information, they have succeeded since November last in getting it with a close approach to accuracy, and the average for the year deduced from this information is as follows:—

"*Nelson Creek Race*.—Number of men employed daily throughout the year, 70; number of ounces of gold so obtained, 4,400.

"*Waimea Race*.—Number of men employed daily throughout the year, 617; number of ounces of gold so obtained, 21,400.

"From this, then, it will be seen that, while the direct net revenue of the races in question is £2,900 per annum, they at the same time maintain in continuous employment as many as 687 men, and yield to each of these an income of £145 per annum; and, as this is considerably in excess of the cost of living of the men in question, it is a reasonable deduction, as it is also the fact that capital is thus accumulated by, at any rate, some of the men engaged, and that this capital is afterwards applied in developing more permanent industries in other parts of the country.

"The collateral results arising from the construction of water-races, therefore, appear to be very great, the gross receipts derived from the two races above mentioned, which cost in all about £230,000, being about £100,000 per annum, and involving the maintenance of 687 working miners, equivalent to a population of, say, 3,000 souls, who each contribute a considerable amount to the Customs revenue."

Honorable members would see from these facts the enormous advantages which accrued to the country from the construction of those water-races. Honorable members would recollect that those races cost nearly twice as much as they ought to have cost, simply from the mistakes made by the Agent-General in sending from Home pipes utterly unsuitable, which cost an enormous sum for transmission, and also from some other circumstances which would not occur in the future construction of water-races. Another argument used against the construction of water-races by the Government was, that if the races were desirable they would be undertaken by private enterprise. But private enterprise did not reap the collateral advantages from those works which the Government did. Private enterprise had to depend on the rack-rent which it was able to obtain from miners for the water; while the Government not only got the rack-rent, but it also got Customs revenue, gold duty, Court fees, post and telegraph fees, and all the other items which a population living in a state of civilization and comfort, as the miners did, continually contributed towards the revenue of the colony.

If private enterprise could also derive those collateral advantages, the work would soon be done without the aid of the Government. The Colonial Treasurer, in his Financial Statement, said he hoped "that the expenditure would be confined to necessary and profitable works." Now, the work he (Mr. J. B. Fisher) proposed to be constructed by the Government fulfilled both of those requirements. It was necessary for the district, as shown by the evidence before the Committee, which evidence had been printed and was in the hands of honorable members. Water had always been very badly wanted in this district, and it was only owing to the fact that they had had very rainy seasons during the last two or three years that the people had been able to get on at all. Those rainy seasons had brought the district out of a state of great depression into one of comparative prosperity and success. The construction of this water-race had been looked forward to by the population of this district for a number of years. Tradesmen and miners had been waiting, and many of the latter had held claims for four and five years simply on the prospect of getting a rich return when this water was brought in. If the water were not brought in, he prophesied that in a year or two the population of Charleston District would be reduced by one-half. If honorable members knew the gold-mining resources of this district, the permanent settled habits of the people, the extent to which marrying, settling down, and getting families and homesteads around them obtained amongst this people, they would readily vote for this motion. There was only one other thing he would urge in support of the motion—namely, that it was necessary this work should be undertaken for the sake of saving the credit of the Government and the colony. A sum of money for this race was placed on the estimates in 1877 by the Atkinson Government. It was not spent, because the Government said they were not in possession of sufficient data, and surveys and plans had not been prepared. That may have been the reason, or it may have been that the Government were turned out and another Government came in towards whom the then member for the district was hostile. Since then the Government had bought, at an expense of £3,000 or £4,000, a small race, which they thought would have the effect of setting at rest all clamour for water. But the people did not want the water already on the ground to change owners. What they wanted was more water. The fact of the Government buying that race by no means increased the supply. The Engineer estimated that £11,000 would be required for the work of bringing in a supply of water equal to the requirements of the district. Seeing that the Government at present kept a staff for maintaining the small race, the least they could do was to finish the work by constructing this water-race which he proposed, the management of which would add no cost to the management of the small race. In addition to the fact that a sum had been voted for the race in 1877, it was promised by the late Government, on their visit to Westport in 1878, that this race would be constructed immediately; and since then a contract

had been entered into by the Government with the County Council, by which the Government undertook to construct the race in consideration of certain promises by the County Council. On the 30th August, 1878, Mr. John Knowles wrote to the Chairman of the Buller County Council as follows:—

“Public Works Office,

“Wellington, 30th August, 1878.

“SIR,—Referring to your recent interview with the Hon. the Minister for Public Works relative to the construction of the Four-Mile Water-race, I am directed by the Minister to inform you that the Government agree to comply with your request, and that the vote of last year will be renewed: the work to be proceeded with on condition that interest on one-half the cost of construction shall be paid by the Buller County; and that any profits which may accrue from the race, over and above defraying the cost of maintenance and management, shall be applied to recouping the outlay incurred by the colony. Thereafter such profit shall become county revenue.—I have, &c.,

“JOHN KNOWLES,

“Under Secretary for Public Works.

“The Chairman, Buller County.”

The terms proposed in the foregoing offer were accepted by the county, so that, apart altogether from the reasonable inducements which existed to undertake this very small work, the Government were bound by a contract which they had entered into with the County Council to construct this water-race. He submitted that the facts stated proved that this work not only came within those commended by the Treasurer, and was both necessary and profitable, but that the Government were bound by every consideration of justice and morality to carry out the work. He hoped the House would agree to the motion.

Motion made, and question put, “That this House will to-morrow resolve itself into Committee of the Whole to consider a resolution, ‘That this House doth concur in the report of the Gold Fields Committee upon the petition of Richard Reeves and others, of Charleston and Westport, Nelson South-west Gold Fields; and recommends the Government to make provision accordingly.’”—(*Mr. J. B. Fisher.*)

Motion agreed to.

GRAHAMSTOWN-TE AROHA RAILWAY.

Mr. MURRAY, in moving the motion standing in his name, said it had reference to a question which had been largely debated in the House. It was therefore not necessary to take up time by going over the same ground. It would be seen, however, from the report of a Committee in the other branch of the Legislature, that there were serious doubts as to the legality of this railway. In order to put an end to this controversy, he had given notice of this motion. The Committee of the other House reported to this effect:—

“The safeguards, therefore, which both Houses intended to create with regard to the expenditure of money and the incurring of liability, were not observed. It is true that the amount involved up to the present time is not very large. But it

Mr. J. B. Fisher

would become a matter for serious concern if Parliament were to understand that the Executive could permanently disregard the conditions of the Railways Construction Act, and could again claim the right of determining at its own pleasure, and without reference to the will of the Legislature, not only what the route of every line should be, but the part of the line to which any appropriation should be applied.

“The Minister acted upon an opinion of the late Attorney-General (Mr. Stout), which was to the effect that the Government were justified in acting under the Public Works Appropriation Act instead of the Railways Construction Act: the Committee desired to have this opinion before them, but, though recorded in the office, it has not yet been found. The Audit passed the vouchers under the contracts entered into, as the attention of the Controller had not been called to the requirements of the Construction Act. Since his first examination before the Committee, that officer has felt it his duty to bring the question of the legality of these contracts before the present Attorney-General and Solicitor-General, whose opinions are adverse to their validity. It would obviously be very unreasonable now to inflict any disability on a contractor; but, although the Audit will continue to pass vouchers under contracts already entered into, payments will no longer be capable of being made under new contracts, unless the provisions of the existing law are strictly carried out.”

Mr. GISBORNE rose to a point of order. The honorable gentleman was reading from the report of a Committee of the Legislative Council, and that report had not yet been laid before this House. If such a report were laid before the House he doubted whether it would not be an invasion of their privileges. If the House wanted such a report the proper course would be to move an address to the Legislative Council to send it down. The honorable gentleman had no right to quote from a report of that body not before the House, and dealing with finance. That report related to the question of the control and expenditure of public money, and he thought it was the peculiar province of this House to deal with that question. It was not the function of the Legislative Council to instruct this House as to the expenditure of public money, the Council not being the representative of the people.

Mr. SPEAKER did not think the honorable member for Bruce was out of order in referring to a report of a Committee of the other branch of the Legislature.

Mr. MURRAY found the report in his pigeon-hole. It was a report containing statements of facts and legal opinions of the Attorney-General, who, he supposed, was an officer of the Government, and of the Solicitor-General, who was also an officer of the Government of New Zealand. As there seemed to be a conflict of opinion between high legal authorities on this subject, he thought it highly desirable that the matter should be definitely settled by the properly-constituted legal tribunals of this country. That being the case, he thought it right to bring forward this motion to set this very-much-disputed question

at rest. As this was a private members' day he did not wish to take up time by going more fully into the question, and he hoped the House would assent to the motion without much discussion.

Motion made, and question proposed, "That the Law Officers of the Government be instructed to prepare and submit a case to the Judges, to decide as to the legality or otherwise of certain expenditure by the Government upon railway and reclamation works at Grahamstown, and between Grahamstown and Te Aroha." — (*Mr. Murray.*)

Mr. MACANDREW did not see why the House should not have the Judges' opinion on this matter if it desired it, and therefore he should not vote against the motion. At the same time he must say that he failed altogether to see any good object to be attained by it. He was very sorry indeed that the honorable member for Bruce, who arrogated to himself the desire, above that of all others, to save the time of the House and proceed with the business, should provoke a discussion on this question, which would be a very long and acrimonious one. He could see no object whatever in taking up the time of honorable members in discussing this motion. He would put it to the honorable gentleman whether he should not be content with what he had said, and withdraw the motion. The House itself was quite as competent to pronounce a legal opinion on this question as any Judge in the land could be. If work done or expenditure incurred were not according to law, the opinion of the Judges would not make it legal, and, if it were done according to law, the Judges' opinion would not make it illegal. In either case, the honorable member would be on the horns of a dilemma. He deprecated dragging the Judges of the land into the arena of party politics, and that was what they would be really doing by adopting this resolution. He was going to get up when the honorable member for Totara rose, and ask by whom the report purporting to be by the other branch of the Legislature came to be submitted. It had never appeared on the table of the House, and he would like to know by whom it was placed in the pigeon-holes. The report had only appeared on the table of the other branch of the Legislature. They should be very chary in allowing the other branch of the Legislature to interfere in matters of this kind. Honorable members of this House were quite competent to take care of themselves in respect of such questions. He should not like to say anything to provoke discussion, although he entertained a very strong opinion as to the whole action of the other branch of the Legislature in this matter, savouring, as it did, of strong party feeling. He would put it to the honorable member for Bruce whether he ought not to withdraw this motion, as he (*Mr. Macandrew*) had reason to believe, as a burning party question, it would lead to a long and very needless discussion.

Mr. HALL did not think the honorable member for Bruce was liable to the imputation cast upon him by the leader of the Opposition, that he had brought forward this motion in a party spirit. He (*Mr. Hall*) did not think that was

the case. His honorable friend thought there had been an expenditure of public money without authority of law, and he wished to have that question settled. While he (*Mr. Hall*) thought it was desirable that this point should be settled without any reference to party, he did not think the particular mode of dealing with the question now proposed would lead to any successful result. The Judges of the Supreme Court had certain duties cast upon them by law—among others, to try all questions that were brought before them for trial, in the ordinary way, when both sides could be heard; and in some cases they had cast upon them by public Statute the duty of giving opinions on cases submitted to them, as, for instance, by Waste Lands Boards. The Judges were, however, not called upon to express an opinion on a case like the present, and in all probability they would respectfully decline to do so. He hoped his honorable friend would see that that was a reason why he should withdraw the motion. He could not agree with the statement of the honorable member for Totara, that this was a question which the other branch of the Legislature had no power to inquire into. Although that branch of the Legislature had no power to appropriate public money or impose burdens, it had the power to inquire into any alleged misappropriation or improper expenditure of public money. They had already the opinion of high legal functionaries on the question raised by the honorable member for Bruce, and he did not think this motion would lead to any practical result. The House might have to deal with the question in some shape, and a good opportunity for doing so would be when the House was discussing the whole subject of public works. Under these circumstances, he hoped the honorable member would be satisfied with having drawn attention to the subject, and would not press the motion.

Mr. GISBORNE was glad to hear the view taken by the honorable gentleman who had just sat down, because it was the constitutional and proper view to take of this question. The Judges were not the legal advisers of this House. What he thought about the other matter was, that the Legislative Council had a perfect right to inquire into any expenditure of money for its own information, inasmuch as it had the right to reject money Bills. The Legislative Council had, however, no right to institute an inquiry for the information of this House. He did not think any member of this House had a right to quote any report which the Legislative Council had originated, as a guide to this House how it should act in money matters.

Mr. BOWEN hoped his honorable friend would withdraw his motion, as he did not think it would affect a matter which would have to be considered, and upon which strong opinions were entertained by honorable members on both sides of the House. He had always been of the opinion that there had been an illegal expenditure on these works; but the course proposed would not settle the matter. There would be an opportunity of discussing the whole subject when they came to consider an Order of the day which appeared on the Paper.

Mr. SPEIGHT did not agree that this motion should be brought forward and then quietly withdrawn. He had obtained a good deal of information on the subject, which he intended to use when the whole matter should come up for discussion. He wished to ask the honorable member for Bruce this question: Was it upon the opinion of the Attorney-General, who was said to be directly interested in the stoppage of the railway at a certain terminus, that the House was asked to move in this direction? All who knew anything at all about the facts of the case would know that there was a considerable section of land laid off as a township, which would be immensely enhanced in value if the Thames Railway stopped at a certain place, instead of going into the centre of population. If the honorable gentleman knew that fact, he ought to attach no importance to the opinion of the Attorney-General, who was directly interested in bringing about that result. He would say no more on the subject at present, as the Premier had stated that it would come on again. The honorable gentleman would have acted much more in the interest of the colony, and of the district that was struggling in consequence of the want of this railway, if he had let this matter alone and not attempted to provoke party controversy.

Mr. MURRAY asked leave to withdraw the motion.

Leave granted, and motion withdrawn.

AUCKLAND ROADS AND BRIDGES.

The following motion was called on: That this House will, to-morrow, resolve itself into a Committee of the Whole, to consider of a respectful address to be presented to his Excellency the Governor, praying that he will cause the sum of £200,000 to be placed upon the estimates as a grant to the Provincial District of Auckland for the formation of roads and bridges.

Mr. WHITAKER said, at the request of the Government, he would ask leave to defer this motion until after the Public Works Statement had been brought down.

Mr. HALL said his honorable friend could hardly expect the Government to declare at the present time how they intended to deal with this question. The Public Works Statement was in active course of preparation, and if his honorable friend would postpone his motion until after the delivery of that Statement he should feel obliged to him.

Mr. WHITAKER said he would move the motion, and the debate could be adjourned.

Mr. ROLLESTON would like to repeat what he said on a previous occasion when an honorable member brought forward a similar resolution—namely, that, if the Government did not oppose it at its first stage, and allowed the resolution to pass, it was not to be understood to express concurrence in the object of it.

Mr. SEDDON rose to oppose the motion. It would be a waste of time for them to consider it, and it would not be fair to other portions of the country. It appeared to him that it would only furnish an excuse to the Government in regard to

the "compact" they had heard so much about. This matter should rest with the Government alone until they had brought down their Public Works Statement, when the House would see what was their intention. The House had no right, at the present stage, to come to any conclusion of this sort relative to a particular district. They had received an assurance from the Government that they intended to deal fairly with all parts of the country. Such being the case, it would be better for honorable members to wait until the Government brought down their Statement, and not to interfere with them in the manner proposed. Under the circumstances, the best course for the House to adopt would be to negative the motion.

Mr. STEWART had anticipated that the Government would give some definite expression of opinion on the merits of this motion. Notice of the resolution was given before the "compact" was entered into. The terms of that compact had not yet been divulged to the House, but it was understood that justice would be done to Auckland. He presumed the honorable mover did not desire more than justice to Auckland; and therefore the House should negative the motion. Until the Government showed some inclination not to do justice to Auckland, he thought the honorable gentleman should not cast any reflection upon them by endeavouring to pass a resolution of this kind.

Mr. MURRAY moved the adjournment of the debate.

Major HARRIS intended to support the honorable member for Waipa in seeing that Auckland got justice. He thought the honorable gentleman was very modest in his demand, seeing that Auckland was entitled, according to a statement that had been made, to £1,200,000. He was only asking, as it were, for the first instalment; and he (Major Harris) would give the honorable gentleman every assistance towards securing the amount. No doubt the honorable gentleman was a rising politician, and he would assist him to the utmost. He believed if the honorable gentleman got this money it would only be the first step towards his political power, and he would shine in New Zealand ever afterwards. He felt quite confident that the Assembly would vote this money. They had striven hard in Auckland in the past to hold their own, but they had not been able to do so; and he felt proud that they had one member amongst them who would stand up and try to obtain a small moiety of what they were entitled to, and that that member was Mr. Whitaker. He was sorry that cold water was thrown on this proposal by some of those members around him with whom he was in the habit of acting; but he felt confident that none of the Auckland members would dare to vote against such a motion as this.

Mr. SHEEHAN said that in a matter of this kind, which involved a proposal to appropriate what they understood was the whole of the balance of the five-million loan, it was the duty of the Government to give a more certain sound than they had done. He, for one, intended to vote against the resolution, although it proposed

Mr. Bowen

an appropriation for the Province of Auckland; and for this reason: that, whatever justice to Auckland might be, he was perfectly certain that, as matters now stood, the appropriation of this sum would be unfair to the rest of the colony. And he further opposed it, for this reason: that the House for two sessions had approved of the principle that, while the colony should undertake railways and other public works which were of a colonial character, they must leave to local districts the carrying out of local works. He thought the Government ought to lead the House in this matter. They should not say they would not oppose the proposal at this stage, but might do so afterwards. Let them say either that they were opposed to the motion or that they were not. If they said they would support it, he would go with them.

Mr. ROLLESTON said he tried to make the position plain. The motion of the honorable member was purely a formal one, and, in order to save the time of the House, the Government thought it advisable to let it pass the first stage. It was obviously better that a question of this kind should be considered along with the whole of the financial proposals of the Government.

Question put, "That the debate be adjourned;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	33
Noes	...	...	...	...	20
Majority for	...	...	...	...	13

AYES.

Mr. Acton Adams,	Mr. Rolleston,
Major Atkinson,	Captain Russell,
Mr. Bowen,	Mr. Saunders,
Mr. Bryce,	Mr. Seddon,
Captain Colbeck,	Mr. Seymour,
Mr. Dick,	Mr. Sutton,
Mr. George,	Mr. Swanson,
Mr. Gibbs,	Mr. Tainui,
Mr. Hall,	Mr. Tawhai,
Mr. W. J. Hurst,	Mr. Tole,
Mr. Johnston,	Colonel Trimble,
Mr. Kelly,	Mr. Whitaker,
Mr. Lundon,	Mr. Whyte,
Mr. Mason,	Mr. Reader Wood.
Mr. McDonald,	<i>Tellers.</i>
Mr. Moss,	Mr. McLean,
Mr. Reid,	Mr. Murray.

NOES.

Mr. Allwright,	Mr. Sheehan,
Mr. Andrews,	Mr. Shephard,
Mr. J. B. Fisher,	Mr. Shrimski,
Mr. J. T. Fisher,	Mr. Speight,
Mr. Fulton,	Mr. Stewart,
Mr. Gisborne,	Mr. Tomoana,
Sir G. Grey,	Mr. Turnbull.
Mr. Hialop,	<i>Tellers.</i>
Mr. Ireland,	Mr. De Lautour,
Mr. Montgomery,	Major Harris.
Mr. Reeves,	

The debate was consequently adjourned.

NATIVE EXPENDITURE.

The interrupted debate was resumed on the

question, That there be laid before this House a return of all persons who have been employed since 1st January, 1879, on matters connected with the purchase of Native lands, or on any Native matters, whose salaries have not been voted by this House; showing the amount of salary or allowances paid to each officer since that date, the amounts now due to each, and whether the payments have been made out of loan or general revenue.

Motion agreed to.

MR. REES'S CHARGE FOR LEGAL ADVICE.

Mr. SUTTON moved, That there be laid before this House—(1) a copy of a voucher for £400 or thereabouts paid to Mr. W. L. Rees in July or August last, on account of legal advice on some matters on the West Coast; (2) a copy of any correspondence that may have taken place between Mr. Rees and the Government in reference thereto, and any legal opinion supplied to the Government.

Mr. BRYCE said he was not aware of the existence of any voucher for this amount. A sum of money, though not to this amount, was paid to Mr. Rees, through a Wellington solicitor, about the period stated in the motion, and, if that was the voucher alluded to by the honorable gentleman, it could be produced readily enough. As to the second part of the motion, he did not think any correspondence between Mr. Rees and the Government with reference to this matter existed. Upon the whole, he thought the passage of the motion would not answer any useful purpose, and probably not the purpose the honorable gentleman had in view.

Mr. SUTTON asked leave to amend the motion by including the voucher for the money paid through the Wellington solicitor.

Mr. SHEEHAN hoped the House would not allow the honorable member to amend the motion in the manner suggested.

Leave refused.

Mr. HISLOP hoped the House would not agree to the motion. He did not object to the first part of it; but it would be a very inconvenient practice to produce correspondence which might have taken place between the Government and any other person, or legal opinions given to the Government. Legal opinions ought not to be produced in the House, and he therefore hoped the motion would not be agreed to.

Mr. KELLY said there was one interesting point connected with the matter which had been overlooked. The Native Minister said that a sum of money had been paid to Mr. Rees through a Wellington solicitor. Probably it was a large amount; and the question that arose was this: Could a member of the House receive money from the Government to the amount of £400 or £500 without being disqualified? That was the point. It seemed to him that, if a member did receive that amount, the intention of the House in regard to the disqualification of members had not been carried out. He could quite understand that the Disqualification Act should not be of too stringent a character, and that a member who

received only a few pounds by way of fees should not be disqualified. It was a different matter, however, when hundreds, or perhaps thousands, of pounds were concerned; and, if barristers or solicitors, being members of the House, could be dealt with in this exceptional way, why should not also engineers and other professional men in the House have an opportunity of accepting large fees? The Government ought to state whether any member of the House had received anything in the way of fees while still a member of the House, so that the House might reconsider the whole matter of disqualification.

Mr. SHRIMSKI pointed out that the Disqualification Act made an exception in the case of barristers and solicitors.

Mr. SHEEHAN said the gentleman referred to in the motion was not a member of the House when this amount was paid. He ceased to be so two months previously.

Mr. MOSS hoped the mover, when replying, would state upon what grounds he asserted that this voucher existed. It was a most serious matter to cast imputations of this kind upon persons who had no opportunity of rebutting them.

Mr. TOLE moved "the previous question." This was just one of those motions referred to by the honorable member for Mount Ida, and the habit of placing which on the Order Paper had grown up this session. The object was simply to cast a slur upon the late Government, and upon late members of the House, supporters of the late Government. It was not right that such absolute statements as those contained in the motion should be made in that way, when there had been no Committee of inquiry, and no reliable information on which to found them. The correspondence referred to might be confidential correspondence, such as that between solicitor and client, and it was wrong to bring such matters publicly before the House.

Mr. BRYCE would like to say that a misconception appeared to exist upon this subject. He had explained that, as far as he was aware, Mr. Rees had not supplied the Government with a legal opinion, and that there had been no correspondence on the subject-matter of the motion. He did not know that he could explain the terms upon which Mr. Rees had been paid £300 for his services, nor did he know that that was the sum to which the honorable member for Napier referred. There was no correspondence between the Government and Mr. Rees on the subject, and therefore none could be produced.

Mr. STEWART said it was all very well for the Native Minister to say there was no correspondence; but, assuming the honorable gentleman was mistaken, how then? The broad question for the House to consider was, whether confidential correspondence between a barrister advising the Crown and the Crown should be produced. He was rather astonished that the Premier had not got up and stated that the Government would oppose the motion, because the Minister of Lands had on the previous day stated they would not produce legal opinions which they had obtained

with regard to the Taranaki Steel Company's rights, as those opinions were confidential. Now, however, it would appear that, the circumstances being similar, they remained passive, and apparently invited the production of such papers. The principle ought to be upheld uniformly, and no exceptions made. The House had, of course, a right to inquire as to the payment of this money, if it had been made; but the honorable member for Napier did not appear to be correctly informed on the subject. He (Mr. Stewart) protested against the Government supporting motions of this kind when they affected certain persons and resisting them when others were affected. The House would never attain that high position which it ought to aim at if such things were done as had been going on from day to day when motions of this kind were brought forward.

Mr. BOWEN did not at all think the honorable member for Napier was to blame for having put this motion on the Order Paper. If it had been put in the form of a question there might be something to say against it, but he held that every member of the House was entitled to bring a motion forward to inquire into any expenditure on the part of the Government, and it would be a most dangerous precedent to establish to throw any difficulty in the way of that being done. He did not quite understand the remarks of the Native Minister. The House was profoundly ignorant in the matter, and the honorable gentleman told them there was no voucher, but hinted that payment had been made to the person mentioned in the motion. But no payment should be made by the Government, and surely the late Government would admit that none should be made, without the House being able to ascertain what it was for. If the motion was not framed in such a way as to get at that information, it ought to be amended so as to bring before the House all the information it was entitled to receive.

Mr. MOSS thought the honorable member for Kaiapoi misunderstood the objection which had been raised to this motion. No one objected to the information being given, but they did object to the way in which the motion was worded. The motion stated that certain money had been actually paid for certain services, and the mover, without giving the slightest grounds for that statement, contented himself with bringing it forward without explanation. If that kind of thing were allowed, it would be in the power of any honorable member to cast a slur upon any other person in the House or out of it, without the person attacked having any opportunity of defending himself. This motion had been on the Order Paper for some time, and no one assumed that it would be moved without some grounds being given for the absolute assertions it contained.

Mr. SUTTON had very good reasons to believe that he had hit the right nail on the head when he put this motion on the Order Paper. The Native Minister acknowledged that £300 had been paid to this gentleman through a third party, and it was paid while the gentleman was a member of the House. No question of divulging legal opinions arose in this case. In the case

Mr. Kelly

which occurred on the previous day the Government were asked to lay the opinion of the Attorney-General on a certain subject upon the table. That was the opinion of the gentleman whose duty it was to advise the Government: but he had yet to learn that it was the duty of any honorable member of that House to give legal advice to the Government because he happened to be a solicitor or barrister. Why did they not apply to their own confidential legal adviser? It was not for the Government to go to an outside solicitor and pay him a fee of £300 for a legal opinion, without giving full information as to why they did so. The objection was not that the £300 was paid to a Mr. Rees, but that it had been paid to a member of the House. The House had not yet ascertained why the money was paid, and the fact that there was no record of the matter in the Government offices quite justified him in bringing his motion forward.

Mr. SHEEHAN would point out that this motion had been on the Order Paper for six or eight weeks, had been copied into the newspapers, and had been sent all over the colony, so that the imputations it contained could not be refuted. He remembered once reading of a French *savant* who, in compiling a dictionary, described the crab as a fish with green eyes that walked backwards, and he was right in all respects except that it was shown that a crab was not a fish, had not green eyes, and did not walk backwards. So it was with the honorable member's motion. It stated that Mr. Rees had been paid money, and had given a legal opinion, and that there was correspondence on the subject. In all respects but these it was a perfectly proper motion, but in these three important respects it was wrong, inasmuch as Mr. Rees had received no money from the Government, had given no legal opinion, and there was no correspondence on the subject. He would go further, and mention what the real facts were. A sum of money was paid to the Maori Minister, Mr. Hoani Nahe, to enable him to get counsel to defend the Maori prisoners. The question was brought before the Cabinet and settled. The propriety of giving the money for that purpose was a question for the House to consider. The late Government thought that, as these men had been arrested peacefully while asserting a right, they would do well to let them have counsel, so that if they were found guilty it could not be said that they had had an unfair trial, and that there was no one to speak on their behalf. The money was paid to a respectable firm of solicitors—as respectable as any in the colony—and, if they had chosen to retain Mr. Rees for this case, it was their affair. But, as for its being anything unfair or suspicious, it was just one of those mares'-nests into which the honorable gentleman had been tumbling for the last two years. If the Native Minister made inquiry, he would find that there was a payment of that amount to Hoani Nahe, who paid it to Sievwright and Stout. They were responsible for the application of the money, and they could be compelled to furnish proper accounts, showing how the amount had been disbursed. Nothing could be fairer. The policy of the matter would

be a question for the House; but, for his part, he had never consented to the payment of any money on account of which he felt so much pleasure as in this case. What happened in the case of ordinary criminal trials? If a man was brought up with seventeen previous convictions against him he could demand counsel, and the Judge would call on some person in Court to undertake his defence, and that person would not refuse. In this case, those people were asserting a right, and they had adopted the ordinary European method of asserting a right by entering into possession of the land in dispute. If the Government obtained a conviction in the absence of fair legal advice and of a fair trial, he thought it would do them no moral good. As to the motion, after what had been said he did not think it should be pressed further, more especially as the matter was being inquired into by another branch of the Parliament.

Mr. GIBBS said the honorable member for the Thames had put this matter in a very plausible light, by showing how very badly used the Maori prisoners were, and how much sympathy the Government felt for their unfortunate condition. He (Mr. Gibbs) was prepared to express and feel the same sympathy for them: but that was not the question the House had before them. The question was, whether a member of the House should receive £300 for some services already performed, or to be performed, for the Government. If such things took place they ought to repeal the Disqualification Act altogether. He did not think the House would allow the motion to be withdrawn. The honorable member for Dunedin City (Mr. Stewart) said the Government should make a bold stand and put its foot down in this matter. He (Mr. Gibbs) certainly thought the House should do so decidedly. It would be a very great pity if the House allowed this matter to drop without thoroughly sifting it, so that honorable members might be free from the stigma that the Government could bribe them with fees of £300.

Mr. McLEAN said the honorable member for Napier had been blamed for bringing this motion forward; but he held himself that if a member believed he could get information on a subject, even though his present information regarding it were not quite correct, and he could not put his finger exactly on the place, he was quite justified in placing a "fishing" motion on the Paper if he thought proper to do so. The honorable member evidently had had sufficient grounds for bringing this motion before the House. The honorable member for Dunedin City (Mr. Stewart) had lately shown a remarkable vindictiveness towards the Government side of the House. He found fault with the Government for not protesting against the production of an opinion which they themselves told him was not in existence. That was the sort of argument and high legal talent which that honorable gentleman gave them a specimen of day after day. The honorable member referred to opinions of the Attorney-General and the Solicitor-General; and he (Mr. McLean) quite agreed that the Government had no right to produce those opinions in the House, because they

were confidential opinions. But, when they went outside of that, it was quite a different question. However, whether that was so or not, the question did not arise in this case, because the Government stated there was no legal opinion. So far as this sum of £300 was concerned, he believed that an inquiry was going on at the present moment in another branch of the Legislature, and he thought sufficient had been heard of this sum of £300 to show that it was not exactly in the position which had been stated. It might have been paid to respectable solicitors; but there was a way of paying money through solicitors in order that it might reach a party to whom it could not have been paid directly. When there was even a suspicion inquiry should be made, no matter what side was affected. They had a legal gentleman in the House at one time who received a sum of money from a Corporation for advocating a Bill in the House. The House took the matter up and fined him very severely. In this case quite enough had come out to justify the honorable member in moving this motion, and in going further, by having an inquiry into the matter. If the Maori prisoners, as stated by the late Native Minister, had not lawyers to defend them, it would be very proper for the House to say to them, "Choose your own counsel, and we will pay for your defence." He did not hold that that was wrong; but it was a question to be properly decided by the House. He did not approve of members all round the House abusing the honorable member for Napier because he brought forward this motion, which was a very proper one.

Mr. HALL said the honorable member for Dunedin City (Mr. Stewart) had been carping at the Government—as he was rather fond of doing—for not resisting a motion which he said was similar in character to one they had previously resisted. The honorable gentleman was quite wrong. The Native Minister had stated that there was in the present instance no legal opinion, and therefore there was no occasion to resist the motion for its production. He would, however, ask the honorable member for Napier (Mr. Sutton) to omit that part of the motion, because he agreed that, as a rule, legal opinions should not be produced in the House. On this question, he could not agree with the honorable member for Waikouaiti that there was a broad distinction between the permanent and occasional legal advisers of the Crown. He hoped the honorable member for Napier would agree to omit that portion of the motion. With reference to the remaining portion of it, he thought it asked for information which the House had a perfect right to ask for. His sympathies, and he hoped the sympathies of the House generally, would always be in favour of publicity, of light being thrown upon everything, of every application for official documents being granted, of having nothing kept back, and especially of having nothing kept back which had reference to the payment of public money to members of the House. Mr. Rees was a member of the House when this money appeared to have been paid to him.

Mr. STEWART.—Why was not the Auckland compact produced?

Mr. McLean

Mr. HALL referred to public documents. The honorable gentleman was fond of barking at the heels of the Government; but it was not often they paid any attention to him. Some day they might do so. The late Native Minister said the late Government felt it to be their duty to provide the Maori prisoners with proper legal advice. In that respect he thought the late Government were perfectly right, although he had heard that that proceeding was not welcomed by the prisoners themselves. It was not in his own department; but he understood the prisoners themselves repudiated any such aid. Although the late Government were justified in taking such a course, he thought it was open to question whether it was a proper and judicious thing for the Government, when they looked about for a gentleman to defend these prisoners, to turn to one who was a warm political friend of their own, and a member of Parliament. This money, it appeared, had been paid to Mr. Rees—

Mr. GISBORNE.—Not by the Government.

Mr. HALL.—It had been paid indirectly by the Government. If there was so much doubt on the subject, that was an additional reason why not only the voucher or other certificate of payment, but also all correspondence on the subject of this payment, should be produced. If there was any foundation for this charge, the correspondence would disclose it.

Mr. GISBORNE.—I thought you said there was no correspondence.

Mr. HALL did not say that. He said there was no legal opinion.

Mr. BRYCE.—There is no correspondence with Mr. Rees.

Mr. HALL said that perhaps the honorable member for Napier would amend his motion. He understood there was correspondence on the subject, although not with Mr. Rees. He thought the House would feel it to be due to itself, and due to Mr. Rees, that, this question having been raised, the fullest possible light should be thrown on the subject. He hoped the previous question would not be agreed to, and that the honorable member for Eden would feel that it was not right, and that it would not look well if it appeared that an attempt was made to burke this question. He hoped the resolution would be amended in the way he had suggested, and that then the House would agree to it.

Mr. GISBORNE hoped the motion would be framed so as to elicit the whole facts of the case, especially after what had been said by the present Native Minister to the effect that Mr. Rees had received £300, and that he could not tell for what service. The statement made by the late Native Minister was quite correct. The Government decided to pay £300 for the defence of the Native prisoners to enable them to choose their own counsel, and, at the time of this decision, he never heard, and the idea never entered his mind, that Mr. Rees was to be chosen. It was to be left to the Native prisoners to choose their own counsel. The money was advanced to the Maori member of the then Government, Mr. Houni Nahe, who was to consult the Native prisoners, and they were to choose their own coun-

sel. Those were the facts of the case, and he wished the motion to be worded so as to bring out all the facts. After the money was advanced to Mr. Hoani Nahe he (Mr. Gisborne) had had no further official knowledge of what took place. He believed that Mr. Hoani Nahe consulted solicitors and the Native prisoners, and counsel was chosen. If it was Mr. Rees, he supposed that, in accordance with proper legal usage, some fee was paid to him for the trouble he would take in preparing for the defence. He hoped the motion would be amended so as to elicit all information.

Mr. HISLOP thought that, as a matter of practice, this question ought, if dealt with at all, to have been referred to the Public Accounts Committee. They should not then have seen the spectacle they had that day witnessed, of the Premier standing up and assisting the honorable member for Napier so to frame his motion as to make a case against a late opponent. Such conduct was not calculated to conduce to a conciliatory disposition among members of the Opposition. He hoped the previous question would be carried; and, if any honorable member wished for information in regard to this matter, let it be referred to the Public Accounts Committee. That would be the proper course to adopt, rather than the bringing forward of these "fishing" motions according to information given by the Government.

Major ATKINSON said the whole question had been put before the House in a wrong light. The Maori prisoners had never been consulted; they knew nothing about it, and repudiated the whole matter. The honorable member for Waitaki had accused the Premier of assisting the honorable member for Napier in an underhand way—

Mr. HISLOP did not say "in an underhand way." He said the Premier had assisted the honorable member in the House.

Major ATKINSON said the honorable member implied that the Premier was assisting the honorable member for Napier so as to make out a case against the Opposition. That seemed to be the tone adopted by honorable gentlemen on that side of the House. If any honorable gentleman asked a question as to any matter of public importance that took place in connection with the late Government, it was supposed to cast some reflection upon them. To his mind that was a very unsatisfactory state of affairs, when it could do no harm to anybody to have full information upon all the public affairs of the colony. He would read a letter which the Government had received on this subject from Dr. Buller, who was counsel for the Natives. He would lay the whole of the papers on the table of the House. They were now before a Committee of the Legislative Council. He would read the letter, as it was desirable that no misapprehension on this subject should exist. [Letter read.] These were the facts of the case. He would not have troubled the House by reading this letter had it not been for the remarks made by honorable members opposite.

Mr. MACANDREW said it appeared to him

that the whole blunder that had been made was that Hoani Nahe, instead of employing Dr. Buller, had employed somebody else. Clearly that was the head and front of the whole matter. He thought it was a great pity that they should waste so much time over such a question as this. Let the motion be carried, and let the correspondence, of which there appeared to be none, be produced.

Mr. WHITAKER thought it a great pity that a motion of this kind should have been put on the Order Paper. He agreed very much with what had fallen from the honorable member for Port Chalmers. He did not think any wrong had been committed by any person in connection with the late Government, as this motion would seem to imply. He regretted exceedingly that, after he had thought all the bitterness between the two sides of the House had died out, this matter should be brought up. He felt very strongly on the subject, because, after the party fight was over, he did not like to see friends of his own, for whom he entertained the highest possible regard, subjected to treatment of this kind. He would vote against the motion.

Amendment agreed to, and motion not put.

MARQUIS OF NORMANBY'S DEPARTURE.

On the motion of Mr. McLEAN, it was ordered, That a respectful address be presented to His Excellency the Governor, praying that he will cause to be laid before this House all correspondence between the Marquis of Normanby and the Premier relative to the refusal to grant the use of the "Hinemoa" to convey His Excellency and family to Melbourne; together with copies of all enclosures therein.

DEFERRED-PAYMENT LAND.

On the motion of Mr. ORMOND, it was ordered, That a return be prepared of all lands disposed of on deferred payments in each provincial district since the passing of "The Land Act, 1877." Such return to specify the acreage of each selection, the price paid, and where situate; also, what expenditure has been incurred (if any) in opening such lands for occupation.

ELECTORS.

Mr. MURRAY moved, That, as soon as conveniently possible, a return should be laid upon the table showing the number of the population—distinguishing Europeans from Maoris—and electors, the area of land, and the gross and net valuations of property made under "The Land-Tax Act, 1878," in each electoral division of the colony. His object was to obtain some data which would guide honorable members in considering the question of the redistribution of seats.

Motion negatived.

AUCKLAND DEFENCE FORCE.

Mr. HAMLIN, in moving the motion standing in his name, said the Auckland Defence Force was one of those bodies which were organized during the war by Colonel Nixon, and which had

done such admirable service in the year 1861. The claims of the members of the force had never been properly satisfied, and, with a view to thoroughly sifting the matter, and, if possible, to do away with what had become a standing grievance, he had thought it right to move for a Committee to inquire into the whole subject.

Motion made, and question put, "That a Select Committee be appointed to inquire into the claims of the members of the late Auckland Defence Force, and report to this House within three weeks, with power to call for persons and papers; five to be a quorum. Such Committee to consist of Mr. Sheehan, Major Atkinson, Mr. Moorhouse, Mr. Swanson, Major Harris, Mr. Whyte, Captain Colbeck, Mr. Pitt, Mr. McDonald, and the mover."—(*Mr. Hamlin.*)

Motion agreed to.

LATE ELECTIONS.

Mr. SAUNDERS, in moving the motion standing in his name, said that, in order that it might have a chance of being carried before the time for adjournment, he would not detain the House with any remarks upon it. All sides of the House would see that it was very desirable that this Committee should be appointed in order that an inquiry might be instituted into the use that had been made of the various appliances at the disposal of the late Government for the purpose of influencing the elections of the colony. He would not say anything that would be calculated to provoke discussion, in order that the motion might be carried. He was sure that both sides of the House would feel anxious that a motion of this kind should be carried, so as to set the matter at rest.

Motion made, and question proposed, "For a Select Committee to inquire into and report upon the use alleged to have been made by the Government of Government steamers and railways, and of the electric telegraph, for the purpose of influencing the late elections. Such Committee to consist of Mr. Fisher, Mr. Wright, Colonel Trimble, Mr. Rolleston, Mr. Turnbull, Dr. Wallis, and the mover. Three to be a quorum; with power to call for persons and papers. To report in fourteen days."—(*Mr. Saunders.*)

Mr. MACANDREW thought the words "and of the electric telegraph" should be omitted from the motion, seeing that a Telegraph Inquiry Committee had already been appointed.

Mr. HALL said the task relegated to the Select Committee of which the honorable gentleman was Chairman was to inquire as to the legality of the action of the present Government in laying the telegrams on the table, and to find out how many had been sent. The question involved in this motion was, what use the late Government had made of the telegraph, and that was a much wider question.

Mr. HISLOP asked if they were to understand from what the honorable gentleman said that the Government were in favour of this resolution.

Mr. HALL.—Decidedly.

Mr. HISLOP had hoped that the Government would see the fairness of not expressing themselves in favour of it. If honorable members would only

Mr. Hamlin

look at the composition of this proposed Committee, they would see how fair the Government intended to be towards the late Government. If the Government did not wish to have any insinuations thrown out with regard to the previous Government, they should show by their actions that such was really their desire. He could not see how any person having the slightest idea of fairness could ask that such a matter as this should be relegated to a Committee composed as this one was proposed to be. He believed the rule laid down in the Home Parliament was that the persons affected by the inquiry should have a majority of one from their side of the House. Here, however, it was just the other way. He hoped the resolution would not be agreed to. The further they went into these matters the worse it would be for all sides of the House.

Mr. TURNBULL must beg the honorable the mover to withdraw his name from the proposed Committee. From what he had seen of Committees this session, he had made up his mind not to belong to any Committee unless he was placed on it by ballot. The Committees appeared to be formed in such a way that every decision was a foregone conclusion: in fact, if they knew who were the members of the Committee, they knew the result.

Mr. SEDDON had expected the honorable member for Cheviot would have withdrawn this motion. The honorable gentleman was a very bloodhound on the trail of the late Government. Last week, in consequence of his action, the House was occupied for two days in discussing the question of Government telegrams, and now again time was being taken up which would be more usefully spent in dealing with matters of service to the country. The honorable member's proper place was among the brigands of Italy, where he would be very useful in leading the vendetta. In fact, the honorable gentleman had mistaken his vocation. He hoped the House would negative the motion. They did not wish to hear any more about these things. He was sure that the Ministry were quite satisfied to hold the positions they had got into; and, as to the motion itself, the members on both sides of the House wished to hear no more about the matter. Bygones should be bygones. This proposal was not at all likely to improve matters. There was no doubt a great deal of truth in what the honorable member for Waitaki said: the Committee was not fairly constituted. There were four Government supporters as against three supporters of the late Government. He should move the previous question.

The previous question being put, "That the question be now put," it passed in the negative.

RAILWAY FREE PASSES.

On the motion of Mr. MURRAY, it was ordered, That a Committee be appointed to inquire into the granting of free passes on the Government railways, and to report whether, in their opinion, there should be any alteration, or whether free passes should be abolished, and, in lieu thereof, time or other special tickets should be issued at reduced rates. The Committee to

consist of the following members: Mr. Macandrew, Mr. Ormond, Mr. W. J. Hurst, Mr. Wright, Mr. McDonald, Mr. Hutchison, and the mover; and have power to call for persons and papers; three to be a quorum; to report in a fortnight.

PARLIAMENTARY PAPERS TO LOCAL BODIES.

Mr. ACTON ADAMS, in moving the motion standing in his name, said that, as they were about to extend the franchise to the widest possible limits, and as they had introduced a general system of education throughout the colony, it was now their duty, by placing these papers within the reach of the people, to enable the people to understand the political duties which they would be called on to perform.

Motion made, and question proposed, "That, in the opinion of this House, the Government should cause the various City and Borough Councils throughout the colony to be supplied, free of charge, with a copy of *Hansard*, of the Government *Gazette*, of the Bills introduced into the House, of the Statutes as passed, and of all parliamentary papers printed and laid upon the table of the House, so that information as to the public affairs of this colony may be more readily obtained by the members of those Councils and the people of the colony generally."—(*Mr. Acton Adams*.)

Dr. WALLIS suggested that the privilege should also be extended to the County Councils.

Mr. ACTON ADAMS agreed to this.

Mr. HALL said it was all very well to talk of spreading all these parliamentary papers broadcast over the country, but he would ask honorable members to consider what the cost would be. If they wished to educate the people politically, well and good. The Government already supplied parliamentary papers to the public libraries; but to talk of sending *Hansard* and every parliamentary paper to every City and Borough Council, County Council, and Road Board was going too far. The Acts that concerned the boroughs and Councils might fairly be supplied to them free; but, if they sent all the other papers asked for in the motion, not one in fifty persons would look at them.

Mr. ACTON ADAMS said that, after the assurance of the Premier that the Acts concerning the boroughs would be sent to them, he would withdraw the motion.

Motion, by leave, withdrawn.

NATIVE RESERVES, MIDDLE ISLAND.

On the motion of Mr. TAINUI, it was ordered, That the report of Mr. Commissioner Young on Native reserves on the west coast of the Middle Island, together with all correspondence and minutes relating to the same, be laid before this House and printed.

HOKITIKA AND GREYMOUTH RAILWAY.

On the motion of Mr. REID, it was ordered, That a Select Committee, consisting of Mr. Macandrew, Mr. Gisborne, Mr. Ormond, Mr. Masters,

Mr. McLean, Mr. George, Mr. Seddon, Mr. Reader Wood, Mr. Bunney, and the mover (three to form a quorum), be appointed, to inquire and report to this House upon the expediency of diverting the proposed line of railway between Hokitika and Greymouth, in order that it may pass through or be connected with Kumara, Goldsbrough, and Stafford Town. The Committee to have power to call for papers and persons, and to report in a fortnight.

OTAGO HARBOUR BOARD PETITION.

On the motion of Mr. STEWART, it was ordered, That the petition of the Otago Harbour Board, presented on the 8th August last, be referred to a Select Committee of ten members, consisting of Mr. Montgomerie, Mr. Dick, Mr. Brown, Mr. Oliver, Mr. Ballance, Mr. Ormond, Mr. Driver, Mr. H. Hirst, Mr. McCaughan, and the mover; five to be a quorum; to report within three weeks.

TIMARU COUNTY.

ADJOURNED DEBATE.

The debate was resumed on the question, That, in the opinion of this House, the proposed new County of Timaru should not be constituted; and the amendment, After the word "House," to insert the words "the Proclamation constituting the County of Timaru should not have been laid before Parliament until its next session, and."

Mr. STUDHOLME presented a petition from the ratepayers of the Mount Cook Road District, signed by all those ratepayers except five, praying that the Timaru County be not constituted. This petition set forth that, if the county were constituted, the Mount Cook Road Board would have no means wherewith to carry out its works.

Mr. WAKEFIELD had no objection to accept the amendment of the Premier. He would not go into all the circumstances of the case that evening, as it would take too much time, and he did not think it was necessary to do so. The honorable member for Timaru opposed his motion on very fair public grounds, and he (Mr. Wakefield) could only say for himself that the part he took in the matter was for the public interest, and for the benefit of the people of his county. It would save a great deal of confusion and future litigation if the House would support him in this motion, and agree to the prayer of the petition which had been so opportunely presented by the honorable member for Gladstone.

Mr. TURNBULL quite agreed with the honorable member for Geraldine that it was not advisable to take up the time of the House any further. He believed that every member had been canvassed, and that they might as well go to the vote.

Amendment agreed to.

Mr. STEWART apprehended that this was a question of law which the House was called upon to determine. Were they to understand that the Government had taken advice on this subject?

Mr. SPEIGHT thought that, if they interfered with the wishes of certain localities in this matter, they would involve themselves in great con-

fusion. Did he understand rightly that the honorable member for Gladstone presented a petition from all the inhabitants of a certain district against this motion?

Mr. STUDHOLME explained that the petition he had presented was from all the ratepayers in the Mount Cook Road District, objecting to the proposed county, and in favour of the motion of the honorable member for Geraldine.

Mr. PITT suggested that the Government should meet the difficulty which had arisen in this case by introducing a provision into the new Counties Bill. The question was certainly a doubtful one; and, if a resolution of this kind were not passed during the present session, the County of Timaru might be held to be constituted according to law. He thought the whole of this question was worthy of the consideration of the Government, with a view of making the amendment he suggested.

Mr. HALL said the Government had already given consideration to this question, and they hoped to be able to deal with it when the Counties Bill came before the House.

Question put, "That the motion, as amended, be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	44
Noes	...	...	...	...	25
Majority for	...	...	...	...	19

AYES.

Mr. Acton Adams,
Major Atkinson,
Mr. Bain,
Mr. Beetham,
Mr. Bowen,
Mr. Brandon,
Mr. Bryce,
Captain Colbeck,
Mr. Dick,
Mr. Finn,
Mr. J. B. Fisher,
Mr. Fulton,
Mr. Gibbs,
Mr. Giaborne,
Mr. Hall,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Johnston,
Mr. Kelly,
Captain Kenny,
Mr. Levin,
Mr. Masters,
Mr. McDonald,

Mr. McLean,
Mr. Murray,
Mr. Oliver,
Mr. Pitt,
Mr. Pyke,
Mr. Rolleston,
Captain Russell,
Mr. Saunders,
Mr. Seymour,
Mr. Shanks,
Mr. Shephard,
Mr. Stevens,
Mr. Sutton,
Mr. Thomson,
Mr. Temoana,
Colonel Trimble,
Mr. Whitaker,
Mr. Whyte,
Mr. Wright.

Tellers.

Mr. Studholme,
Mr. Wakefield.

NOES.

Mr. Allwright,
Mr. Andrews,
Mr. Barron,
Mr. Brown,
Mr. De Lautour,
Mr. J. T. Fisher,
Mr. George,
Sir G. Grey,
Mr. Hamlin,
Major Harris,

Mr. Macandrew,
Mr. Montgomery,
Mr. Reeves,
Mr. Shrimski,
Mr. Speight,
Mr. Stewart,
Mr. Tainui,
Mr. Tawhai,
Mr. Tole,
Dr. Wallis.

Mr. Speight

Mr. Hutchison,
Mr. Ireland,
Mr. Lundon,

Tellers.
Mr. Hislop,
Mr. Turnbull.

The motion, as amended, was consequently agreed to.

HIGH SCHOOL RESERVES BILL.

Mr. BRANDON, in moving the second reading of this Bill, said that it was intended to enable the governing bodies of high schools who did not receive any assistance from Education Boards to make use of certain endowments. There were some of these establishments which at the present time found it very difficult to carry on, in consequence of the state of their endowments; and they desired to sell these endowments, and make use of the proceeds by investing them in some securities which might produce an annual revenue, and so enable the establishments to be supported in a proper manner. The Bill provided for selling the endowments either wholly for cash, or partly for cash and taking mortgages for the remainder, and investing the proceeds in securities which would yield a dividend, to be applied to the objects of the institutions.

Mr. DE LAUTOUR would have liked to hear the opinion of the Minister of Education upon the Bill, as it seemed to him to be a most extraordinary little measure. If the mover had been frank with the House, he would have stated what particular high schools were to be included in it. They could not be very many; but he presumed the Wellington College would be one, and there might be one or two others. Honorable members ought to know what extent of land would be affected by the Bill, and there should be a schedule showing that. Of course the Bill did not apply to high schools under District High Schools Acts, and under the control of Education Boards; but it gave the governors of other such institutions, who, it might be quite true, were in a really bankrupt state, the power to sell, without any safeguards, the endowments placed under their control. He objected altogether to such a proposition, and did not think the Bill should pass its second reading simply in the hope that it might be put into better shape in Committee. He was, however, unwilling to move that it should be read a second time that day six months.

Mr. ROLLESTON said the question with which this Bill dealt came before the House some time ago, when he stated that the Government were of opinion that the subject was too large to be dealt with this session. The Bill was prepared by the late Government, and it was left by them ready to be brought forward. If allowed to go through its second reading it would require considerable alteration in Committee. Without having had time to consider the question so as to be able to express the opinion of the Government definitely upon it, he might say for himself that it was a question that ought to be dealt with in a much more comprehensive manner than was done in this Bill. If, pending further legislation, it should go into Committee, he hoped the House would insist upon a proper check being placed upon the sale of these reserves. Under the Bill

as it stood at present, that sale was absolutely without any control. He had held for many years a strong opinion as to what should be done with these reserves, and he looked upon it that sooner or later they would all have to be dealt with upon one uniform system throughout the colony; and that the governors of these institutions should not be allowed to interfere with settlement, or to become dealers in land—a purpose for which they were not constituted. These lands should be dealt with in the same way as the general estate, subject only to the trusts for which they were granted. He would not oppose the second reading, but he should think it right in Committee to introduce considerable modifications. It seemed to him that, under a Bill of this kind, bodies having the names of Boards of Governors would be able to turn themselves into land-dealing bodies, for which, in some instances, they might be very unfit. He must say he did not think there was much hope of a Bill of this important character becoming law this session.

Mr. GISBORNE might say, with regard to the exceptional nature of this Bill, that the Canterbury College Governors had substantially the same power given to them by "The Canterbury Educational Reserves Sale and Leasing Act, 1876." Under that Act the endowments of that College were open to sale, and the proceeds were to be invested in the purchase or mortgage of freehold lands, in the purchase of Government stock, and so on, just as in this Bill. So much for the exceptional nature of this Bill. There was a check to selling the land in that it had to be sold by public auction or tender. They could not have a better check than that. The proceeds of the land were not to be devoted to the maintenance of the institutions, but were to be reinvested in permanent investments, in mortgages, or in colonial securities, or in the purchase of other lands; and the proceeds derived therefrom were to be devoted towards the maintenance of the institutions. Many of these high schools had country lands which were at present of no value to them, and they had not the power to sell or to mortgage. The result was, that they were practically useless: in fact, many years—perhaps a whole generation—must elapse before the proceeds of the land would be available for the maintenance of these schools. The intention of the Bill was to sanction the conversion of the proceeds of these endowments into permanent investments which would bring in an income for the schools, and would in fact confer the same powers as were held under the Canterbury College Act of 1876. The Canterbury endowments were open for sale under the Waste Lands Board, and, so far as this Bill was concerned, so long as the land was to be sold by public auction, and the proceeds reinvested in permanent investments, he could not see anything extraordinary in the proposition. At present these reserves were perfectly useless for the objects for which they were made; and in the interests of the high schools the promoters of the Bill asked the House to pass it, to enable the reserves to be realized for some practical purpose. If this were not done he could foresee that some of these schools would have to

be closed. What was the good of giving land which could not be utilized? The object of the Bill was to enable these lands to be utilized. If it were thought advisable that some further check should be placed on the sale or the reinvestment of the proceeds, that could be done in Committee. He would ask the House to pass the Bill in the interests of the high schools, and enable the reserves to be utilized for the purpose for which they were set apart.

Mr. GEORGE said it was understood that unopposed business only was to be taken, and, as this measure was likely to occupy some time, he moved the adjournment of the debate.

Mr. HUTCHISON hoped the debate would not be adjourned. He believed the Bill was somewhat crude; and the mover of it would perhaps have no objection to a clause being inserted enabling the endowments to be sold by the Waste Lands Board. There was no intention of doing anything but conserving endowments, yet making them valuable for present purposes. As the honorable member for Totara had very well explained, they might find a high school or college having perhaps ten thousand acres of land, covered with thick bush, and very likely yielding not a single halfpenny to the institution for which it had been set aside as an endowment. It would ultimately become valuable, but for present purposes it was useless. Let them take any precaution they pleased in the way of selling, and, if necessary, let the land be handed over to the Waste Lands Boards to be sold in the usual way. Let the proceeds be applied to the purchase of other properties—say, within the town or city—from which an annual rental could be obtained for the support of the institution. He need not conceal that this Bill was of importance to the Wellington College. It required such help as that. He put it to members of the House, and to gentlemen who he knew were interested in higher education, that something of this kind was absolutely necessary. It was not wished to do anything beyond simply changing the character of these reserves, so as to produce a revenue that would be useful at the present time. He hoped the second reading of the Bill would be agreed to.

Mr. BOWEN should vote for the second reading of the Bill, because he thought it was very important that something should be done to facilitate the carrying-on of so important an institution as the Wellington College. He did not understand the Minister of Lands to object to the general principle that lands should be sold for the purpose of investing the proceeds in some other way, but to object to this being done by the machinery of the governing body alone; and he thought that the honorable gentleman was right, because the governing body was not the body that was likely to successfully manage this kind of business. The honorable member opposite was mistaken as to the way in which the Canterbury College dealt with their endowment. The lands were originally set apart by the Canterbury Provincial Council, and it was part of the understanding that they should be left for sale by the Waste Lands Board. As the lands were sold the

money was invested for the College. He thought that, if the second reading was taken now, perhaps the honorable member in charge of the Bill could put himself in communication with the Government, and between this and next week some arrangement might be come to which would make the Bill more acceptable to the House. He hoped the House would pass the second reading, as it was of considerable importance to the Wellington College, and before this time next week such an arrangement might be made between the Government and the promoters of the Bill as would satisfy the House that its provisions were unobjectionable.

Mr. SHRIMSKI said he could not understand the position of the Minister of Lands in not wishing to give power to sell land in this Bill, whilst in his two Bills—the Otago Boys' and Girls' High Schools Bill and the Southland Boys' and Girls' High Schools Bill—there were clauses giving the Board power to sell the property and to reinvest the proceeds in some other property. He was really at a loss to know what the Minister of Lands meant.

Mr. MACANDREW said the only objection he had to the Bill was, that it was general. He thought it should have been applied specially to the Wellington College. If in Committee it could be limited to that, he should be very glad; but he did not see why it should be a general measure. He quite approved of this Bill as applied to the Wellington College. Let it be confined to that college.

Mr. HISLOP thought the practice which was growing up in the House was rather inconvenient—namely, that honorable members would not oppose the second reading, and at the same time made up their minds to kill a Bill in Committee. He thought there was a sufficient indication that there was no intention to put this Bill through the House.

An Hon. MEMBER.—No, no.

Mr. HISLOP hoped it was so, because a more mischievous Bill could not be passed. Some of these reserves had been so set aside as to be in the centres of population, and immediately available for the purposes for which they were intended; whilst other reserves were made in the more remote parts of the country, and would only become available as the country advanced, and as greater aid was required for these institutions. That was how he viewed the reserves set apart for the Wellington College. He understood that the Wellington College had got reserves in the town realizing a considerable income. But these institutions undertook work which they ought not to undertake. They insisted on teaching children who ought to be going to the common schools, and he believed this was generally the reason why these institutions were so short of funds. He intended to move that this Bill be read a second time that day six months. The very fact that there was a calling-out for such a Bill at the present time showed that this would be a power which ought not to be vested in these small Boards. They felt, just for the time being, the inconvenience arising from being short of funds, and they did not look far enough ahead,

Mr. Bowen

so as to see how far the dealing with lands now would affect them in the future. He thought this Bill would place powers in the hands of the Board of Governors which they ought not to possess, and begged therefore to move, That the Bill be read a second time that day six months.

Mr. ANDREWS seconded the motion for the second reading of this Bill on that day six months. He did so because he believed that this was a question or Bill that the Government ought to undertake to bring forward in a consolidated manner. In the interpretation clause in this Bill "high school" included any college, high school, or grammar school now existing, or hereafter to be established under any Act. This was the difficulty that he saw in the distance. They had too many distinctions in the matter of education; some of the School Boards were in a state of poverty and ruin, while others were rolling in wealth. Let them look for a moment at the land reserves of Canterbury. By looking at the papers laid on the table, honorable members would see that primary education had only 45,298 acres of reserves; secondary education, 19,402 acres; while higher education had 270,697 acres of reserves, placed under different and distinct Boards of Management. What he wanted to see was this: that the whole of the reserves and educational property should be put under one clear and distinct Board, which should look after every class of education, from the lowest to the highest, that was to be obtained in their respective districts. He was quite sure that no party member could bring in a satisfactory Bill; it must be brought in by the Government, and be prepared with great care during the recess.

Mr. ROLLESTON felt, with the last speaker, that it was very important the Government should take this matter in hand: and the whole of their action had been taken in consequence of holding that view. When this question came up before, he said that it could not be dealt with broadly this session, and that it would not be right to attempt to deal broadly with it, seeing that the Government, with the consent of the House, had appointed a Commission to inquire into the whole case. The question was still under the consideration of that Commission; its information was not complete: and it had not yet reported. With regard to the reference of the honorable member for Waitaki (Mr. Shrimski) to his (Mr. Rolleston's) own action, it was true that he had taken in hand Bills relating to the Otago Boys' and Girls' High Schools and the Southland Boys' and Girls' High Schools; but he made it a condition of his taking them in hand that there should be, as pointed out by the honorable member for Kaiapoi, another body which would act as a check upon the sale of the land by the Boards of Governors. It would be found that in these Bills there was a distinct provision that before any action was taken for dealing with those lands the proposal should be submitted to the Governor in Council. He wished to point out wherein those cases were different from others which had been brought forward. He wished to deal with them specially upon their merits, because in both cases active steps had been taken to place the institutions

upon a satisfactory basis. They were institutions of a most useful character. The Otago High School had been recently put under the charge of a new master, and was doing very good work. It would be a great pity to postpone the work of that school at the present time for want of funds, as it had a certain prospect of income upon which it was fairly entitled to borrow; and not only to borrow, but, under the Bill before Parliament, to sell with the consent of the Governor in Council. He would like also to make another observation in regard to what had been said with reference to the Wellington College. This general Bill, he understood, was brought in to meet the case of that College. It was not proposed for a moment to give money to spend upon the immediate necessities of the College, but it enabled the governing body to sell endowments and buy land. If the Bill meant more than that, the House should be told what it did mean. He asked honorable members to consider, with the information they had before them in this report, what they could expect to get from this buying and selling. They had there a Wellington reserve with its prospective value set down at £5 a year; and he would like to ask who was going to pay a large sum for a reserve that would only produce £5 a year for years to come. It would not stand any test that a business man would apply to it. Last year the Wellington College, against his distinct protest, set aside building sites close to the present school buildings. He could not conceive of anything more suicidal. He promised support to any proposal which would help the institution; but let them not sacrifice their secondary schools for the sake of temporary pecuniary advantage. He would advise their being dealt with handsomely and liberally, but on a basis which would not prejudice higher education in future. That was his desire, and it was in that spirit that he had acted. With regard to this Wellington College and other high schools, he thought the Assembly had better vote them money than enable them to become land-jobbing bodies.

Mr. BRANDON was surprised at the remarks of the Minister of Education, because he had explained the objects of the Bill, and the last clause was sufficiently explanatory. They did not wish to enter into the buying and selling of land; they did not wish to invest in land which would not give a return; but they desired to invest the proceeds in securing some income in order to carry out the objects for which the endowments were originally granted. They did not intend to lay themselves open to the objection of being dealers in and buyers of land. He was perfectly willing to confine the measure to the exigencies of the Wellington College; but he thought other bodies might take advantage of the same powers, and therefore it was made a general Act. He had not the slightest objection to inserting in Committee the check which the Minister of Education had introduced into the Otago and Southland Boys' and Girls' High Schools Bills. Delay would be very prejudicial to the Wellington College; and unless the Government would say that they would help the Wellington College until next

session, by advancing a sufficient sum to enable it to carry on and meet its present liabilities, he would ask the House to pass the Bill; but, if they would promise to do that, he would not have the slightest hesitation in withdrawing the Bill. The Board of Governors had not the slightest intention of leasing this land at the amount land was put up to lease at by a certain other establishment; but people who would not give £5 a year for land would give a great deal more for it if they obtained a lease with the right to purchase. People were growing wise nowadays, and would not expend labour upon land if they had not the prospect of becoming the owners of it in the future. If the land was put up on deferred payments, or on lease with right of purchase, a reasonable rent would be got for it. He hoped the House would not agree to the amendment.

Mr. MONTGOMERY thought that a Bill of this kind, which dealt generally with the trusts of high schools, was a very important matter. The Bills of his honorable friend the Minister of Education did deal very largely with those trusts, because they not only gave the Boards power to reinvest and receive interest on money, but they also gave power to use some of the money for building. What was good for one public body should also be good for another, unless exceptional circumstances were shown, and he much preferred a general Act to a number of special Acts. The whole question should be dealt with comprehensively. He would not vote against the second reading of this Bill, but he could not shut his eyes to the fact that, if they gave Boards power to sell lands, it was because they could not lease them advantageously at present, and they might sacrifice them in dull and bad times. He would be inclined to vote against special Acts in any shape. He questioned whether it would not be better for the Ministry to bring in a general measure, and to provide against the possibility of these bodies parting with lands below their value.

Mr. SHEEHAN was prepared to vote for the second reading of the Bill, but he could not promise to go beyond that in the present session. He was told by the Minister of Education that the Government could not deal broadly with this question. That required definition. What was meant by dealing broadly with a measure? It might mean dealing comprehensively with a subject, and it might also mean supporting a Bill and letting it drop this session. It was said that this was to be a general measure. He thought this was a case of charity beginning at home, and that it really meant Wellington. The Minister of Education gave them a lecture on the impropriety of grammar schools and other bodies of the kind dealing with public reserves in the manner suggested in this Bill. It put him in mind of another old proverb, "Starve, horse, while the grass grows." The honorable member, and others who came from the blue-blood province, had ample reserves, and high schools without number, which would enable them to carry on for generations to come; but honorable members from the northern and poorer provinces did not get these means, and were told, "Good people, let your children grow

up with a common-school education." The honorable member talked about dealing with the question broadly. Did that mean cash? If the expression "broadly" meant coming down with cash, he was prepared to vote for the Bill as it was, more especially as in his province there was a school of the same character, with 10,000 acres which they could not utilize. They should follow out abolition to its legitimate result, and put all the education reserves into a common pot; and if any province was called upon to take the lead in that matter it was the Province of Canterbury. An honorable member remarked that they had already given up the Land Fund. But it appeared from the Financial Statement that the Land Fund was now something worse than nothing. He hoped the Minister of Education and other members from that province would come down next session and say, "We will deal broadly with the question. We will bring all the reserves for higher schools into a common fund, and make it like the Land Fund." In the meantime, unless something of the kind he had stated was done, it would be a very cruel thing indeed to let the poorly-endowed schools in the North to keep them waiting in order to realize means of carrying on from their reserves, while other parts of the colony were living on the fat of their educational endowments. The Government had opposed the Bill brought forward by the honorable member for Waitaki (Mr. Shrimski) to give the Oamaru Harbour Board power to deal with endowments to the extent of ninety thousand odd acres; and yet they proposed to handle these educational reserves in the very same way, only with this qualification, that the regulations for their immediate sale or disposal must be signed by the Governor in Council. He trusted the honorable gentleman in charge of the Bill would not push it beyond the second reading.

Mr. WAKEFIELD hoped the Bill would be read a second time and passed this session. Its object was to prevent the Wellington College being compelled for want of funds to stop its operations. The mere second reading of the Bill would not do that. If they passed the Bill there would be some hope of carrying on the operations of the College during the succeeding year; if not, that institution would have to close its doors unless some other means were provided for carrying it on. The honorable member for the Thames (Mr. Sheehan) had accused the Minister of Education of preaching patience. The honorable gentleman did not do anything of the sort. He spoke in the direction of making provision for the necessities of the Wellington College—that he would rather see the Assembly come down and make provision for the Wellington College at once than that its estate should be dissipated to meet its present necessities. He entirely sympathized with his honorable friend, and should be very sorry to see the Wellington College closed for want of funds, or the estate sacrificed for the sake of getting an immediate return. The subject was a very difficult one to deal with. It occurred to him that an arrangement might be made by which the Crown should acquire this land as an educational endowment, and advance

money to the Wellington College in order to enable it to carry on its operations. He would rather see that course adopted than see the College compelled to sell its reserves for a mere trifling sum. The land would not fetch £1 an acre, as it was bush land without any roads. The estate was in the hands of trustees, and they knew what would be the best way to serve their interests. There was an urgent necessity for passing this Bill, in order to obviate the necessity of the Wellington College absolutely shutting its doors, which would be the case unless this Bill were passed, or some other provision made for enabling the College to carry on. He hoped honorable gentlemen would not support the second reading of the Bill as a mere matter of form, but would carry it through all its stages this session.

Mr. GISBORNE said the Minister of Education was not very happy in his remarks with regard to the observation made by the honorable member for Waitaki, and he was less happy in his remarks with regard to the Wellington College. The difficulty which had been pressing upon the Wellington College was, that it could not let land and give a right to purchase, and therefore could only obtain a very small amount annually for it. He had the authority of the late Chief Surveyor of the Provincial District of Wellington, Mr. Jackson, as to the selling value of the land, which nominally represented a rental of £5 a year, and he was quite as good an authority as the Minister of Education on this subject. That gentleman had told the Wellington College governors that £1 an acre could be obtained for the freehold of the land. Although they could not let it for more than £5 a year without the right of purchase, if they sold the freehold it would realize £10,000. The proceeds could be immediately reinvested in town lands, or in colonial securities, or mortgages, and the College would realize a handsome amount annually. That would be better than that the College should come year after year and ask assistance from this House. It should be put in a position by which it could utilize its reserves by selling them and investing the proceeds. He hoped the Bill would be read a second time and become law this session. If they passed this Bill they would put the Wellington College in a position to continue advantageously its work in the cause of higher education. If not, they would either cause the College to be shut up, or they would have it coming to this House for appropriations year after year.

Mr. LEVIN said the honorable member for Totara had very properly expressed the position of the Wellington College country reserve. Though nominally it only fetched £5 a year, still he had no doubt, from his own personal knowledge, that, if the land were put into the market at the present time, it would realize such a sum as would enable the College to carry on its operations. The life of the Wellington College, which was the most valuable educational institution in the Provincial District of Wellington, hung upon the possibility of obtaining power to realize upon its reserves. They did not want to be coming down

Mr. Sheehan

to this House, year after year, for grants in aid to keep the institution going. He thought the Minister of Lands had unintentionally put a false issue before the House when he said that the Government should come down with some broad scheme for assisting higher educational establishments. It seemed to him that in the present financial condition of the colony it was useless leading the House to think more would be done to aid education than at present: it would be nearer the truth to say that Government grants in support of education would ere long have to be diminished. So far as the Wellington College was concerned, what was wanted was power to deal with the property it possessed, so as to bring in an annual revenue to maintain the College. He hoped the House would pass the Bill through all its stages this session.

Mr. STEWART regarded this Bill as a very important measure. It was one which might be considered from two points of view: one was the general principle involved in the Bill, and the other the financial necessity that existed, apparently, in connection with the Wellington College. With regard to the latter question, he thought those gentlemen who represented Wellington had proved to demonstration that the Bill was absolutely necessary, and that a measure of this kind should be brought into operation immediately. He thought the House should agree to the second reading of the Bill, and bring the necessary powers into operation at once. It was very well known that these reserves were granted with very limited powers of alienation, and the consequence was that large tracts of country were unproductive. Therefore, whilst they should keep in view those safeguards that would prevent endowments from being frittered away, they should also give such reasonable powers, subject to proper restrictions, as were necessary to enable the proceeds of those reserves to be utilized to the best advantage from time to time. Personally, he was in favour of the adoption of a Bill of a general character. So far as he could see, this measure appeared to have been carefully drawn. It might be made more elaborate, so as to apply to educational institutions of a somewhat similar character having reserves under analogous circumstances. Special Acts were continually cropping up as the necessity arose for passing them, and sometimes clauses were inserted which parties interested in endowments were not aware of until they became law. A general Act, carefully considered, would obviate such a state of things. He would support the second reading, and also the passing of the Bill, either as a general measure or as one specially affecting the Wellington College.

Mr. HALL would be glad to support the second reading of the Bill. He agreed with many of the views which had been expressed by the last speaker. Endowments of land were no doubt very desirable, but the experience of the Old Country had shown that it was a mistake to lock up land in the hands of religious, educational, or any other bodies, in such a manner that they could not deal with it as the interests of the institution concerned, or of the land itself, required from time to time. He

believed that there should be a power of sale when a sale could be effected with considerable advantage—a power accompanied by conditions as to reinvestment. The question as to the body in whom that power should be vested was another thing. In the case referred to by the honorable member for the Thames—that of the Canterbury College—the power was vested in the Waste Lands Board of the district: that was one of the conditions of the original endowment, and so it was with the Oamaru Harbour Board. In this particular case, there was no power of sale given. If they did give a power of sale, they must give it to somebody. Now, he did not think that giving an unreserved power of this kind to every governing body of a high school was a desirable thing. It ought to be under a proper check. But they could not go into the question on a broad basis this session: the case of the Wellington College was an exceedingly pressing one; and, under these circumstances, he thought they might fairly give that institution some assistance. He looked forward to the time when the whole question of secondary education would be gone into with a view of dealing with it in the broadest possible sense; for he believed that, while it was the duty of the Government to provide for the primary education of the people, it was also their duty not to neglect secondary education. No person should be able to say that provision for this purpose on a liberal scale existed in one part of the colony while it did not exist in another. He did not say that it would be a wise thing to transfer any endowment from one part of the colony to another; but, where it could be shown that no reasonable provision existed for secondary education, the Government should in some way endeavour to provide for it. He would support the second reading of the Bill.

Mr. DE LAUTOUR said that, as everybody had condemned this Bill, and still everybody was going to vote for it, they might as well let it go to the second reading. He found out now that it was an old friend with a new face. It used to be called the Wellington College Bill, but he really did not know it under its present disguise.

Mr. GINSBORNE said it was never called the Wellington College Bill.

Mr. DE LAUTOUR said he had seen it before, and remembered it now that he had had a better opportunity of looking at it. He altogether objected to the doctrine which some honorable members laid down, that there was any right at all to sell these reserves for the purpose of keeping up institutions which could not otherwise support themselves. They were never intended as endowments which could be converted into cash and expended. There was one thing that would have to be done with reserves of this character of a much larger size than the reserve in question—they would all have to be secularized, and that in the interests of settlement, not in the interests of the schools or institutions for which they were set apart. There was no doubt the Government would have to face that. There were immense areas of country at present alienated as endowments for the benefit of institutions. These large areas were retarding settlement to a

very serious extent, and they ought to be placed in the hands of the administrative body, whatever it might be, administering the lands of the colony, dealt with as ordinary waste lands, and the proceeds legitimately held by the governing bodies of the institutions for which they were originally set apart. That was the only principle on which these endowments should be interfered with—when they were retarding settlement. It seemed to him monstrous that endowments, which had been set apart by the forethought of our predecessors for the benefit of educational institutions, should be sacrificed—put into the market and sold, and sold by tender, the governors not being bound to accept the highest tender as was the case in this Bill—whenever the institution was either badly managed or got into financial straits. They had no warrant for saying or knowing that the Wellington College was even decently or economically managed. It had the name of being a very good school: that was all they knew. If it was to have the right by public money—which this would be, if these reserves were sold—to bolster up an expensive staff or an expensive management, then it was time that such a school was placed under the management of the Minister of Education. He did not think that in Committee the House would agree to the principle of the Bill.

Motion for the adjournment of the debate negatived, and Bill read a second time.

MINERS' RIGHTS FEES REDUCTION BILL.

This Bill was considered in Committee.

Clause 3.—Miners' rights fees.

Mr. GISBORNE moved, That the words "ten shillings" be struck out, with a view to inserting "five shillings."

Question put, "That the words proposed to be left out stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	40
Noes	...	...	...	...	13
Majority for	...	...	...	...	27

AYES.

Mr. Andrews,
Mr. Bain,
Mr. Ballance,
Mr. Bowen,
Mr. Brandon,
Captain Colbeck,
Mr. De Lautour,
Mr. Dick,
Mr. George,
Mr. Gibbs,
Mr. Hall,
Mr. H. Hirst,
Mr. Hutchison,
Mr. Ireland,
Mr. Johnston,
Mr. Kelly,
Mr. McLean,
Mr. Montgomery,
Mr. Moss,
Mr. Murray,
Mr. Pitt,

Mr. Rolleston,
Captain Russell,
Mr. Saunders,
Mr. Shanks,
Mr. Sheehan,
Mr. Stevens,
Mr. Stewart,
Mr. Sutton,
Mr. Swanson,
Mr. Tainui,
Mr. Tawhai,
Mr. Tole,
Colonel Trimble,
Mr. Turnbull,
Mr. Wakefield,
Mr. Reader Wood,
Mr. Wright.

Tellers.

Mr. W. J. Hurst,
Mr. Pyke.

Mr. De Lautour

NOES.

Mr. Barron,
Mr. Brown,
Mr. Finn,
Mr. J. B. Fisher,
Major Harris,
Mr. Hislop,
Mr. London,

Mr. Reeves,
Mr. Reid,
Mr. Shephard,
Mr. Speight,
Tellers.
Mr. Gisborne,
Mr. Seddon.

The amendment was consequently negatived. Bill reported to the House, and read a third time.

LAND CLAIMS ARBITRATION BILL.

Mr. WAKEFIELD, in moving the second reading of this Bill, said it related to a land claim of long standing, which had been before Parliament on many previous occasions. Last year a Bill was passed called "The Land Claims Act, 1878," which empowered the claimant to bring his case before the Land Claims Court before the 31st of December of this year. That measure was passed with a view of giving the claimant an opportunity of having his case heard; but at the time the Act was passed the claimant was not in the country, and he would never have heard of the Act having been passed but for an advertisement which appeared in a London newspaper, and which was cut out and sent to him by a friend in Australia. The claimant was now on his way to this colony, with a view of getting something done with reference to his claim. The claim was a very peculiar one, and it was admitted that the claimant had suffered a grievous wrong. That was not denied by anybody. It had been disputed whether the claimant had, in point of fact, any claim upon the Crown; but this Bill did not assume that the claimant had any claim against the Crown. All it provided for was that he should have an opportunity of having his claim heard by an independent tribunal apart from the Land Claims Court, which, in his opinion, was not likely to deal impartially with the case. As he (Mr. Wakefield) had said, this claim was of long standing, and the claimant had spent a great deal of money and gone to a great deal of trouble in presenting it for a number of years. His desire was that it should be finally settled by arbitration. He was sure the claimant would not in any way question the Arbitration Court proposed to be constituted by this Bill. Many honorable gentlemen knew the case well, and he hoped he would have their support in endeavouring to get nothing more than justice done to a man who, it was admitted, had suffered a very grievous wrong. He hoped honorable gentlemen would carefully consider the question, and decide whether it was not better that the whole matter should be settled in such a manner as would satisfy the claimant, and assure him that he would receive justice at the hands of the House. He knew there was a great prejudice against all land claims. The claimant in this case had persistently pursued his claim for twenty-five years, but, because he had given Parliament a great deal of trouble, that was no reason why he should be denied justice. These land claimants were something like suitors in Chancery at Home, who were looked upon with

prejudice simply because the Chancery Court and every one else were tired of the persistency with which they pressed their claims; but, at the same time, if they lived long enough, they generally got a decree. He would ask the House to do justice to the claimant by passing this Bill, and appointing an independent tribunal, to whom the claimant was prepared to submit the final and ultimate decision of his case. He should be quite prepared to accept any reasonable amendment in Committee, and would willingly receive suggestions from honorable gentlemen who knew the particulars of the case. He had taken the advice of the officers of the Land Claims Court in drawing this Bill, and had endeavoured to put it in such a shape as to avoid any objectionable feature that could be avoided. He submitted the Bill to the House, and hoped honorable members would allow it to go to a second reading, with a view to giving him an opportunity of affording further information in Committee.

Major ATKINSON, on behalf of the Government, was very sorry to say that he was unable to give this Bill his support. It was quite true that the claimant had a claim against somebody, arising out of matters which occurred thirty years ago. He (Major Atkinson) would not trouble the House with any lengthened statement of the case, but the preamble to the Bill did not properly set forth the case. His great objection to the Bill was, that it was an admission that Captain Beadon had a claim against this colony which ought to be inquired into by a separate tribunal. He (Major Atkinson) did not think that gentleman had a shadow of a claim against the colony. If honorable gentlemen would read the papers they would come to that conclusion. He was afraid the honorable gentleman's goodness of heart had led him to take a more favourable view of the case than he was warranted in doing. The claimant had suffered a certain wrong, but he had not suffered a grievous wrong. He had suffered a certain wrong, as many people of the colony had, through trusting to fraudulent agents. The whole of the case was, shortly, this: In the year 1839, forty years ago, Captain Beadon sent a sum of money to Messrs. Sandiman, Willis, and Co., Sydney. He sent £2,000, of which £400 was to be invested either in New South Wales or in New Zealand. Mr. Sandiman was then buying land in New Zealand, and he had here an agent named Cormack, who bought many thousands of acres of land from the Natives. Then this claim was divided up among certain clients of Sandiman, Willis, and Co., and, as was the custom, these persons' claims were gazetted: that was to say, the claims were sent in to the New South Wales Government, New Zealand being then under New South Wales. They made a certain claim for land, Captain Beadon among the number, his name being down for 15,000 acres. A Court duly sat in New Zealand in 1844, under Commissioner Godley. H. Cormack appeared, and he withdrew some seven or eight of these claims, he having bought the land himself, and Sandiman having sent in the names. The cases came on, and all the claims were withdrawn, except two or three; and Cormack got,

in his own right, the full amount that it was possible under any circumstances for the Commissioners to grant—namely, 2,560 acres. Then Captain Beadon disappeared from the scene. He alleged that Cormack had no authority to withdraw his name; but then it followed, as a matter of course, that he had no business to insert his name. That was to say, his name ought not to have appeared at all, and would not have appeared if his agent had been properly qualified. Upon the fact of the insertion in the *Gazette*, and the case never coming before the Court, Captain Beadon founded his claim. He never made any further application whatever till 1859, when he wrote to Mr. Whitaker. That gentleman went to Mr. Commissioner Bell, who told him, as would be seen by the papers, that Captain Beadon had no claim whatever, and that it was useless spending money upon the case; and Mr. Whitaker did not prosecute the claim any further. Then, in 1866, Captain Beadon himself again came upon the scene. In 1872 he came down to Wellington and made a further claim, when it was very carefully gone into. He wrote to the Secretary of State, charging the New Zealand Government with gross fraud in not giving him land which he had purchased. He (Major Atkinson) then wrote a memorandum, which would be found among the papers, setting forth the claim from beginning to end. He went very carefully into it, and honorable gentlemen would see that Captain Beadon had not a shadow of a claim. The claimant then made application to be allowed to go to the Supreme Court to get his wrongs redressed, and wished to have a special permission from the Government to plead. But he had mistaken the law. There was nothing to prevent him going to the Supreme Court. As the Government had no authority to give him permission to go into the Court, they did not do so. He then applied to the late Government; and Mr. Stout, in order, no doubt, to get rid of the trouble of being perpetually worried, said, "Very well, if you have a claim, we will give you an opportunity of proving it." It was very curious that every time Captain Beadon had an opportunity of going before the Court he had never known anything about it, and had always gone away. Honorable members would see by the papers that Captain Beadon had missed his opportunity every time; and when Mr. Stout, in order to give him another chance, agreed that the case should again be referred to the Land Court, and extended the time for twelve months, Captain Beadon disappeared immediately, and never reappeared until the time had expired; and he now asked the honorable member for Geraldine to submit a special Bill to put his case in a position in which he had no right to ask the House to place it, because it would be an admission on the part of the House that a wrong had been done to Captain Beadon by the Courts of the colony, which he had absolutely failed to show was the case. He might also mention that Captain Beadon had been twice before the Public Petitions Committee, and each time they had reported adversely to his claim. He submitted that, if the House desired to do any more in this

matter, they might extend the Bill of last year and let Captain Beadon appear before the Commissioner, if he had any claim at all; but do not let them submit it to a special tribunal, because, if they did, they would not be able to resist innumerable claims which were infinitely stronger in every respect than that of Captain Beadon. He hoped his honorable friend would see his way to withdraw the Bill, or at any rate only to ask the House, if he asked for anything, to extend the Act of last year so as to enable Captain Beadon to apply to the Land Claims Commissioner for further investigation. He hoped the House would not accept the proposal to submit the matter to arbitration.

Mr. KELLY said this case had been several times before the Public Petitions Committee, and, as Chairman of that Committee, he thought he was bound to state what action it took in the matter. In the first place, the preamble of this Bill stated what was not true. It set out that George Beadon purchased land in New Zealand; but George Beadon never did purchase land in New Zealand. As had already been pointed out by the Colonial Treasurer, he placed money in the hands of an agent in Sydney for the purpose of purchasing land in New Zealand, and an agent in New Zealand bought land, not only for Captain Beadon, but for several other persons as well in one transaction. One hundred and sixty-eight thousand acres were purchased from the Natives in 1839, and the payment made consisted of goods to the value of £385. In the next place, the preamble stated that the claim of Captain Beadon was recognized by the lawful authorities. It never was recognized by the authorities. It was simply heard by the Courts, along with a number of other claims. As the honorable gentleman who moved the second reading had observed, this was a peculiar case. As to referring it to an independent tribunal, the Committee of that House by which it had already been considered was a perfectly independent tribunal, and it had on every occasion decided that Captain Beadon had no claim whatever against the colony. He would read the concluding words of a report on the subject by the Public Petitions Committee in 1875. They were as follow:—

"The Committee, having considered the case of the petitioner, have directed me to report that, though it appears he has a claim against his agents for neglecting his interests, he has not established any claim for compensation against the colony. The Committee, therefore, cannot recommend his case to the favourable consideration of the House."

A similar report was made by the Committee in 1872, and also in 1877. Under these circumstances, he thought the time of the House should not be taken up by further discussing this case. If it had not been for the lateness of the hour, and for the fact that members were anxious to dispose of private business, he could have gone more fully into the subject; but he would now content himself with moving that the Bill be read a second time that day three months.

Debate adjourned.

Major Atkinson

PROTECTION OF ANIMALS BILL.

This Bill was considered in Committee.

Clause 2.—Penalties.

Mr. DE LAUTOUR moved, as an amendment, That the words "of section sixteen" and the word "penalty" be struck out, with a view to inserting the word "penalties."

Question put, "That the words 'of section sixteen' stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	12
Majority for					8

AYES.

Mr. Andrews,	Mr. Saunders,
Major Atkinson,	Mr. Shanks,
Mr. Bain,	Mr. Shephard,
Mr. Bowen,	Mr. Sutton,
Mr. Hall,	Mr. Swanson,
Mr. W. J. Hurst,	Colonel Trimble,
Mr. Ireland,	Mr. Wright.
Mr. McLean,	
Mr. Pitt,	<i>Tellers.</i>
Mr. Reid,	Mr. Murray,
Mr. Rolleston,	Mr. Whitaker.

NOES.

Mr. Barron,	Mr. Speight,
Mr. J. T. Fisher,	Mr. Stevens,
Mr. George,	Mr. Turnbull.
Major Harris,	
Mr. Hutchison,	<i>Tellers.</i>
Mr. Lundon,	Mr. De Lauteur,
Mr. Seddon,	Mr. Hielop.

The amendment was consequently negatived.

Bill reported without amendment.

ABOLITION OF IMPRISONMENT FOR DEBT BILL.

This Bill was considered in Committee.

Clause 2.

Mr. MURRAY moved, That progress be reported, and leave asked to sit again.

Question put, "That I do report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	22
Noes	...	...	...	...	15
Majority for					7

AYES.

Major Atkinson,	Mr. Shanks,
Mr. Bain,	Mr. Shephard,
Mr. Beetham,	Mr. Stevens,
Mr. Hall,	Mr. Sutton,
Mr. H. Hirst,	Colonel Trimble,
Mr. Hielop,	Mr. Wakefield,
Mr. W. J. Hurst,	Mr. Whitaker,
Mr. Ireland,	Mr. Wright.
Mr. McLean,	
Mr. Pitt,	<i>Tellers.</i>
Mr. Rolleston,	Mr. Bowen,
Mr. Saunders,	Mr. Murray.

NOES.

Mr. Barron,
Mr. De Lantour,
Mr. J. T. Fisher,
Mr. George,
Major Harris,
Mr. London,
Mr. Moss,
Mr. Reeves,

Mr. Reid,
Mr. Seddon,
Mr. Speight,
Mr. Swanson,
Mr. Turnbull.
Tellers.
Mr. Andrews,
Mr. Hutchison.

The amendment was consequently agreed to, and progress reported, and leave given to sit again.

The House adjourned at fifteen minutes past two o'clock a.m.

LEGISLATIVE COUNCIL.

Thursday, 20th November, 1879.

First Readings—Appeals against Valuations—Local Bills—Christchurch Drill-shed Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

District Courts Bill, Timaru Waterworks Bill, Protection of Animals Bill, Hamilton Volunteer Hall Site Bill, Miners' Rights Fees Reduction Bill.

APPEALS AGAINST VALUATIONS.

The Hon. Mr. WATERHOUSE, in moving the motion standing in his name, said that, in face of the large increase of direct taxation which was likely shortly to be imposed upon the community, it would, he thought, be patent to honorable members that this was a matter of great importance, and that the Courts of Appeal, in whose hands at the present time practically rested the power of deciding the valuation of property, should possess in all respects the entire confidence of the community. It would not, he thought, be stated that the Courts of Appeal, as at present constituted, did possess that confidence. Some of the decisions of the Courts of Appeal during the last few months had been the subject of very considerable comment, and the impression on the public mind was that some alteration in the tribunal was requisite. Honorable members must have many of these recent decisions in their mind's eye, and without any special reference to them they would be able to call to remembrance many cases in which, possibly through want of knowledge on the part of the tribunal to which was referred the decision of these cases—probably owing to the imperfect organization of those tribunals—a decided injustice was accomplished. He might be allowed to refer to one case, which seemed to him strikingly to exemplify the defective nature of these Courts as at present constituted. Most honorable members who had been in the habit of sailing along the coast must know a little island called Mana. It was an island without many recommendations, situated on one of the most exposed parts of the coast of New Zealand,

and having comparatively very little value attached to it; but that island was assessed at £7 per acre. The owner or occupier of the land appealed against the assessment. The valuation was so utterly absurd that there was scarcely a person who did not believe that an appeal would be sustained; but, to the astonishment of every person, the valuation was confirmed. Now, as regarded that particular island, he had the statement from a gentleman well known to honorable members, who was in the habit of sailing along the coast continually, that he had been for a length of time in search of some island which he could buy and have as his own; that he had cast his eye more than once on this island, and he would be glad to buy it; but that he should hesitate to give even as much as 30s. an acre for it: and yet in the face of that fact the assessment was £7 an acre. It was obvious that the assessment was not an assessment of $\frac{1}{4}$ d. in the pound, but of 2d. in the pound: and that was the smallest matter connected with the subject. The more important matter was, that a person could not help feeling a rankling sense of injustice, and his confidence in the equity of the law of the land would be affected. Owing to various circumstances, the valuations in different parts of the colony had been adopted upon different principles. In some places he believed that they had been very fairly imposed; in other places the public had arrived at the conclusion that they were very unfairly imposed; and there was scarcely an inhabitant of Wellington who did not feel that he had been called upon to pay from 50 to 100 per cent. more than he should have paid. It was a matter of the highest importance, when they had direct taxation, that the administration of the law should be as just and as equitable as the law upon which the tax itself was based. Many laws failed through administration, and were exposed to odium, not upon the merits of the measures, but from the way in which they were administered. It appeared clear to him that the taxes to which they were liable to be exposed, and from which none of them could ever expect to be free, should not be regarded as instances of aggression and as unequal in their operation. It was a matter of the highest importance that the laws should be administered upon principles of reason and equity. Various methods had been proposed in various countries for the attainment of this end. He believed that in the States of America a variety of plans had been adopted. In the State of California, he found, on looking through the Constitution recently passed there, that the principle had been adopted of Courts of Revision being elected by the ratepayers biennially, after the State elections, and their special duty was to provide for the equality of the assessments throughout the State, so that every person might be taxed at an equal rate. He did not know how far public opinion would be prepared to sanction the adoption of such a tribunal in this colony, and there were, he was free to confess, great difficulties in the way of the adoption of any such tribunal, so constituted, in this colony. But it appeared to him that they might with very great advantage adopt in the valuation of property a

somewhat similar principle to that followed in the Customs. The owner of goods declared his own valuation, and, if the Customs authorities were dissatisfied with that valuation, then they retained the right of taking over the goods—and they not unfrequently exercised the right of taking them over—at an advance of 10 per cent. on the declared value. It appeared to him that, if they adopted that principle with reference to property, the effect would be that persons would value their properties at such a rate as that at which they would desire to retain them, so as to secure their not passing into the hands of the State. If, however, it was thought by the authorities that the properties had been much undervalued for the sake of escaping payment of the proper amount of tax, then the State would take the properties and sell them forthwith. One or two cases of that kind would effectually prevent undervaluations of property. It appeared to him that there were two courses open—either that persons should value their own property, the State reserving the penal power of taking over the property at an advance of 10 per cent.; or the valuation might be left to the State itself, the owner to have the option of disposing of it to the State at a reduction of 10 per cent. on its valuation, thus retaining a sufficient margin to cover possible fluctuations of value, in accordance with the principles of the Rating Act, which, as honorable members were aware, provided for a margin of 10 per cent. upon the value of properties rated. He introduced this subject for the purpose of ventilating it, for he regarded it as a very important question indeed. If there was not equality in the administration of direct taxation, the burden would fall very unequally on individuals, and great practical injustice would be wrought; while at the same time the dissatisfaction with their legislation would become intense. He believed there was no effectual remedy against the abuses of the old valuation except that which he had suggested—namely, either that the owner should value his property, or that the State itself should do it, it being open to either party to retain or take it at an advance or reduction of 10 per cent. on the amount of the valuation. He moved the motion standing in his name with a view to calling the attention of honorable members, and likewise of the Government, to what he considered a most objectionable system.

The Hon. Mr. HOLMES said that in seconding the motion of his honorable friend he merely confirmed what that gentleman said as to the dissatisfaction of the public at the valuations which had been made under the Land-Tax Act. His own experience of the Courts was very unfavourable, because, owing to the small amount of remuneration given to those parties who were to make the valuation, suitable valuers could not be obtained. In one instance an Inspector of Nuisances was asked to value a township, and he declined on the ground that the remuneration was not sufficient. Some of the most important agricultural districts in the colony, where the greatest discrimination was necessary, were valued by parties who knew little or nothing of land or agricultural pursuits, and had never been used to

them. He would give an instance. One estate was valued at £12 10s. an acre all over. Another estate, side by side, certainly not better, and he questioned if as good, was valued at £22 an acre; and, when a protest was lodged against it, it was left to the Government valuator, who fixed the value at £16 per acre, thus making a difference in the value of some £25,000 on one property. He knew of another case where, when an appeal was made, there was a reduction allowed of £100,000 on the property of one individual. The cause of all this was the utter incapacity of the valuers to deal with the question in some cases, and in others the time given to the valuers was not sufficient to enable them to make a personal inspection of the property, and he believed that many valuations were made without the valuers ever seeing the property at all. It was within his knowledge that many properties of ordinary value, where great discrepancies could not be expected to take place (as in the case of high-priced properties), were valued at double or treble the price they would realize in the open market at the time the valuation was made. Then, again, as to the valuation of improvements. They had no doubt heard of a notable case which had been referred to in public, where a large value was placed upon the improvements, which valuation a person in the confidence of the Government declared recently to be three times the value of the improvements. Another objectionable feature was in connection with the appeals to the Resident Magistrate. Unfortunately, in many cases the Resident Magistrate was as ignorant of the value of land as the valuator, and so the result was that, as there was no appeal from that Court, the Resident Magistrate merely took the opinions of the valuer and the representative of the Government, and fixed the valuation according to the data he had before him, and the appeals were in very few cases in favour of the parties who appealed. In most cases the high rates of valuation were maintained. The result of all this was, that a feeling had grown up throughout the country that great injustice had been done, and that people had been called on to pay a great deal more than they would have paid if care had been taken in making the valuation, or a proper system of appeal had been adopted. It was not necessary for him to go any further into the matter. He had only expressed the opinion that a great many persons who held property in the southern part of the country believed that the system followed out last year was very defective, and that something should be done in the future to remedy it. Perhaps it would be better if experts were employed who possessed not only the confidence of the Government, but of the people.

Motion made, and question proposed, "That, in the opinion of this Council, in face of the large increase of direct taxation which is likely to occur, it is important that other means of appeal against excessive valuations of property than those at present existing should be provided."—(*Hon. Mr. Waterhouse.*)

The Hon. Sir F. DILLON BELL said the question was no doubt one of large importance:

Hon. Mr. Waterhouse

and he wished particularly to draw attention to the necessity which existed for reconsidering the total value of landed property as declared by the land-tax returns, and as was apparently relied upon by the Colonial Treasurer in the Financial Statement now before the country. The Treasurer referred to valuations which had been made under the Land-Tax Act as reaching between £99,000,000 and £100,000,000; and, upon the assumption of the correctness of that estimate, he expected to receive a certain amount in the shape of a property-tax. But it would be necessary to reconsider that point. If any system were established for revising in a fair way the valuations which had been made under that Act, the Government would find, when the Property-Tax Act came into operation, that the value of land had been very much overrated; and certainly there should be such a revision, or some system adopted by which the safeguards referred to by the Hon. Mr. Waterhouse would be secured. As to the land-tax officers, he thought it was due to them to say that a task had been imposed upon them which it was impossible for them to fulfil. They had to do the work within a time and under circumstances which made it impossible for it to be properly done. And he could bear testimony, so far as related not only to the Chief Land-Tax Commissioner, but also to the officers under him in the provincial district from which he (Sir F. Dillon Bell) came, that it would be impossible to exaggerate the pains and care that they took, or their earnest desire to meet the claims of those upon whom the tax was to fall, in so far as the law allowed them to do it. He agreed with his honorable friend as to the errors in the valuation. He might say that in one property, where the valuation was given at £140,000, the attention of the land-tax officers had been called to errors made, and an amount of close upon £13,000 was remitted by the department; but when the land-tax notice was served the full sum was charged for. In the case of another property, which was valued at something between £40,000 and £50,000, there had also been errors. But this could hardly be avoided, because valuations were made in a reckless way by people wholly incompetent for the work they had to perform, and, if their valuations were to be tested by anything like fair inquiry, the total amount would be found to be greatly exaggerated. In the same return, another property of about £5,000 in value was debited to the wrong owner. He mentioned these instances to show that, notwithstanding the care, attention, and courtesy on the part of the officers of the department, errors had crept in which it was necessary should be corrected; and he called the attention of the Government to the matter because he was sure that the valuation which the Colonial Treasurer relied on, to the extent of ninety-nine or one hundred millions, would be found to include a good deal which would not come under the operation of the property-tax at all, as described in the Financial Statement.

The Hon. Captain FRASER thought a great deal of difficulty had arisen owing to the Government having employed the municipal assessors to

make valuations under the Land Tax-Act, who did not know their duties. In some cases they actually made valuations under the Land-Tax Act which were 20 per cent. in excess of the valuation they made as municipal assessors in respect of identical properties. Perhaps these gentlemen thought they were going to be paid commission on the amount of the assessments. So far as he was concerned, he had not appealed; he put up with his valuation rather than appeal; but, at the same time, some persons had appealed, and had had large amounts struck off. He hoped the Government would not employ municipal assessors again.

The Hon. Colonel WHITMORE said the honorable gentleman who had introduced the motion had pointed out a matter to which the Government must give attention if the large measure of taxation proposed was to be carried into effect. They would have this advantage: that they would be able to learn from the mistakes and the experience of their predecessors, and they would not have to commence an entirely new system without any data to work upon. A great deal of the outcry against the valuations had been made either in a wrong direction, or else entirely without foundation. The complaint that the valuers had not at all times been the most capable men was no doubt well grounded. He admitted that some of the valuers were not persons who, if the Government had had a choice in the matter, would have been employed. But the principle necessarily acted upon was that of local tender, the best men being chosen of those who tendered for the work. There was not a very large choice, and, in fact, the only course in some cases was to take those persons who had offered to do the work, or to take no one, because so many qualified persons seemed to be afraid to undertake the work. That objection would be got rid of hereafter: in future there would be plenty of competent men to undertake the work. And that led him to the point alluded to by the Hon. Sir F. Dillon Bell; and, like his honorable friend, he wished to bear his testimony to the work of the department. Then, as to the Appeal Courts, a more impartial and respectable Court than the Resident Magistrate's Court it would be difficult to find, unless the appeal was to be made to Judges of the Supreme Court, or to a special judicial body created for the purpose. He did not believe in a Court constituted of experts, because it could not be denied that those persons would have their prejudices and crotchets. He thought it was much better to have a person of a judicial mind, capable of judging of the weight of evidence, and able to form his opinion whether or not a valuation ought to be supported, solely from the evidence brought before him. For that reason he thought the objection taken to the Resident Magistrate's Court as a Court of Appeal was not tenable, unless it were proposed to go to the expense of a higher Court for the purpose. In no case did he think the Court should consist of persons who were themselves in the business of valuing land. The proposal which the Hon. Mr. Waterhouse had just made had been tried, and

he believed deliberately abandoned, in most of the States of America—that was, the plan under which the Government or any private person might take possession of a property at 10 per cent. above the valuation of the owner. He did not know what objections were found to the system in America, but he thought he could see practical difficulties which would operate in this colony against any measure of the sort being adopted. If any considerable number of persons were supposed to have undervalued their properties, and the Government were desirous of resuming possession, under such a system the Government would not be able in many instances to provide the large sum of money which would be required. Then, again, in times like the present, persons who had property valued at £50 or £100 would willingly take off 10 per cent. in order to get rid of the property for cash. Money in these times was valuable, and persons would be quite prepared to sacrifice something from the nominal value in order to obtain the use of cash. They might even go further, and bring pressure to bear upon the Government to purchase their property. Anything of that sort was very undesirable. There were quite enough means already of putting pressure upon the Government of the day without adding to them. It might be desirable to allow any private person to take lands at a price exceeding by 10 per cent. the valuation put upon them by the owners; but he did not think it was desirable that the Government should have anything to do with such transactions. There could be no doubt that a great many of the objections to the valuation arose from the fact that this was the first time a land-tax had been imposed in this colony. That there would be a great many objections it was reasonable to anticipate, because it was certain to occur. Even in Victoria, where the land-tax had been in operation for some two or three years, they would find that very lately there had been a large number of appeals; but what he had remarked in New Zealand was this: that the appeals did not come so much from the country as from the towns, and he was bound to say the town appeals savoured very much of “trying it on,” because as soon as one case was settled in Court against the appellant a large number of persons immediately withdrew their appeals. The Hon. Captain Fraser had alluded to the discrepancies in the assessments for municipal purposes and the assessments for the land-tax, and had spoken rather slightly of the municipal assessors; but that discrepancy was easily explained, because, first of all, the assessments were not constructed on the same basis, the one being based on the actual annual value, and the other on the actual selling value. That made a great difference in the first instance; and then there was this further point: It might be easily proved that lands—especially at the present time—might have a considerable capital value, but be almost worthless so far as the letting value was concerned, because so much land was held for speculative purposes. There was an instance of that in the district in which he lived, where there was a large swamp, or piece of ground which was absolutely under water. It was theoretically supposed that

Hon. Colonel Whitmore

each section had a value: but it was of no value to let whatever. It was worth nothing at all at the present time to let; but nevertheless it was of value, and lately had risen and risen in value until at last what was formerly worth £100 was now worth several hundreds of pounds: but no town assessor thought of putting the land down at anything like its actual selling value. Honorable gentlemen had cited several instances, but it was worthy of remark that they were all instances of persons who held very large properties. For instance, one gentleman had had £100,000 taken off the valuation, another £140,000, another £50,000 or £60,000. Well, in the case of these large properties there might have been some dissatisfaction felt; but his experience had shown him that these large properties, as compared with the small ones, had been lightly treated. The very instance given by the Hon. Mr. Waterhouse, of the Island of Mana, was a case in point. It had been said that this island was but four hundred acres in extent, and that it was valued at £7 per acre. He (Colonel Whitmore) ventured to say that the property of the person who had £100,000 taken off his valuation was not valued at £7 per acre. It would be found that the small properties had had to pay the largest sums, and that two-thirds had been paid by the smaller ones. Then the Hon. Sir F. Dillon Bell hoped the Government would not be carried away by the statement that there was property in the country worth ninety-nine or a hundred millions; but he (Colonel Whitmore) believed that if the valuations were put upon a satisfactory and uniform basis throughout the colony it would be found that the estimate would be amply sustained. The great improvement that was required in connection with the Land-Tax Department was to have persons appointed valuers who had a more extended knowledge of the country, so that the whole of New Zealand should be valued on something like a uniform principle. Let any gentleman compare the valuations in the Provincial District of Auckland with these in the smaller District of Hawke's Bay, which adjoined, and he would find that there was an enormous difference in the mode of valuing land in the two provincial districts. He was not at all sure that local valuers were the right persons to value property. Indeed, he thought it would be much much better if another principle were followed, because then it might result that all valuers would make use of the same scale, and that the valuations in one part of the colony would bear a reasonable proportion to the valuations in another part. If in some parts of New Zealand the valuations were high, it was within his own knowledge that in other parts they were scandalously low. However, he ventured to express the hope that it would not be found necessary, when the question came to the point, to put on this large measure of taxation at all. He believed there was a proposal by which the whole of the present deficit should be provided for in the same way as the deficit in the Land Fund was provided for in 1876—that was, to pay it off by Treasury bills. If that were done they could begin fair, and there would then be no necessity

for finding a moral to adorn a tale, or to crush New Zealand by an exorbitant amount of taxation in order to throw a little blame upon the Government which preceded the present one in office. He thought this——

The Hon. Mr. MILLER rose to a point of order, and asked whether the honorable gentleman was keeping within the bounds of the question. He failed to see that his present remarks had any relevancy to the question before the Council, but they would lead to an irregular financial debate which was scarcely desirable.

The Hon. the SPEAKER thought the honorable gentleman was travelling a little beyond the proper limits.

The Hon. Colonel WHITMORE was sorry if he had transgressed the rule. He had to bear the brunt of certain opinions expressed by many honorable gentlemen against the previous Government, and he thought he was only strictly following the lines laid down by the Hon. Sir F. Dillon Bell in his speech. That honorable gentleman was allowed to say he hoped the Colonial Treasurer should not take the result of the land-tax valuations as a guide, because if he did he would find that they were fallacious; and all that he (Colonel Whitmore) had been doing was to point out that the land-tax returns, if not absolutely correct, were substantially correct, and that the amount might be expected to be increased under a fair system of valuation. Then he was going on to express the hope that the additional taxation would not be required, which the honorable gentleman said would be permanent. However, if he offended the tender susceptibilities of the honorable gentleman, he would not continue that line of *quasi* defence; but still he did venture to hope that it would not be found necessary to impose so large a measure of additional taxation as the Colonial Treasurer had proposed, nor did he think it would be necessary. He wished to enter his protest against any proposal to have the electoral element introduced into the Assessment Courts. The experience of America had been altogether against that. He had had many opportunities of speaking to Americans, and they all regarded it as the least defensible part of the American system. He did not think the present Appeal Courts could be improved upon except at great expense, and any alteration must take the form either of referring the appeals to the Judges of the Supreme Court, or of constituting a Court specially to deal with them. Never, he hoped, would the principle of election be introduced. If they were to constitute Courts in that manner, it would lead to the greatest partiality, not to say corruption. It would very soon be found who voted for a particular candidate, and, as they knew, it constantly happened that electoral offices were not filled by the best men. In the case of men of an inferior character obtaining seats in the Court it would be very soon found that a very different treatment would be given by them to the appeals of their supporters and the appeals from those who were opposed to them. So far as the working of the Land-Tax Department was concerned, he wished to bear his testimony to

the painstaking, intelligent, and courteous work of the officer who was at the head of the department, and, so far as he had heard or seen, the junior officers were exceedingly zealous and able.

The Hon. Mr. WILLIAMSON thought the last speaker had in some degree misapprehended the remarks of the Hon. Mr. Waterhouse. That honorable gentleman did not contend that the Government should be forced to take over all properties the valuation of which they believed to be below their true value. The honorable gentleman's remarks were to this effect: that the Government should have the option, and then they would only take the properties at the market price. If that were done it would not be so very inconvenient for the Government to purchase property, because they would be able to sell again immediately. Then the Hon. Colonel Whitmore went on to say that the whole of the complaints in respect to the valuations had arisen from the holders of large properties.

The Hon. Colonel WHITMORE denied having said that. What he said was, that there were more complaints from the holders of large properties than from any other persons.

The Hon. Mr. WILLIAMSON thought it was very much the same thing. Although honorable gentlemen who had preceded him brought forward cases of absurd valuations in connection with large estates, he could give an instance himself of a small property. He knew a person whose property had been valued at either £2,000 or £2,500, he was not sure which; but, to show the absurdity of the valuation, he could assure the Council that that person offered the land to the Government for £700. It was not one piece of land, but a number of small allotments situated in different parts; and the whole would have been sold to the Government for the sum of £700, although the extreme valuation of £2,000 or £2,500 had been put upon it by the valuer. He thought, if the plan suggested by the Hon. Mr. Waterhouse were adopted, it would prevent the recurrence of such absurd valuations as that.

The Hon. Mr. WHITAKER said his honorable friend Colonel Whitmore had entered into a defence of the Land-Tax Department, on the ground that the department was not to blame in reference to the valuations, good and bad, which had been made during the late assessments. So far as he (Mr. Whitaker) had been able to observe, the Land-Tax Department was not carried on in an unsatisfactory way. Where the Act failed was in there not having been sufficient time given. He warned the Government in the House of Representatives on several occasions that they were not taking sufficient time for the purpose of doing the work. He knew that it was utterly impossible for the work to be done in the time which the Government proposed to take. No doubt it was something new—the Government had no precedents to guide them; but it did appear to him (Mr. Whitaker) that the amount of work to be done could by no possibility be done within the time limited. His honorable and gallant friend always seemed to think that nothing could be done except for the purpose of casting blame on the late Government;

but he thought it would be buying blame at a very large price if, for the mere sake of blaming the late Government, the present Government thought it necessary to bring in another Bill to impose additional taxation. The honorable and gallant gentleman had introduced into this subject matters which were not at all relevant to the motion under discussion. It appeared to him that the Hon. Colonel Whitmore had got so many sore places that no one could move without hurting him. The real question which was introduced by his honorable friend Mr. Waterhouse was exceedingly simple—whether or not there were proper means of appeal. There was no doubt that the great difficulty in all cases of this kind was, that a very large amount of expense was involved on the one hand, while on the other, if they did not incur that expense, they had an inefficient means of dealing with the matter. It had been the endeavour of the present Government, in their new measure, to put the matter on the best footing they could under the circumstances. He believed it was the duty of the Legislature, when putting on taxes, to have them collected in a manner most convenient and least troublesome to the people. That was absolutely necessary and essential, and they would commit a great crime if they did not do that; and, besides, it would bring into ill-repute the very tax they found it necessary to put on if they did not make its collection as convenient to the people as possible. With regard to this tax which was about to be put on, it would be irrelevant for him to explain the provisions of it now; but great care had been taken to inquire into the systems in operation at Home and in America, with a view to having the tax put on as conveniently as possible, and to affording the best means of appealing. When the Bill was brought down, it would be time enough for the Council to judge whether the Government had been successful in attaining those objects. The plan proposed by the Hon. Mr. Waterhouse of adding 10 per cent. to the valuation of the individual might or might not be a good plan. He was aware that it was done with regard to Customs duties; but there were difficulties in the way with regard to the purchasing of real properties. However, it was a matter which might be considered, though at present he saw there was considerable difficulty in it. With regard to the valuations under the Land-Tax Act, they were not required to be made by the person to be taxed himself. It was quite true that the Government had—he believed without any right or authority whatever—called upon people to make their valuations and returns of improvements, which had nothing whatever to do with the tax they had to pay. It might have been very convenient to do that, but it was very indiscreet. In putting on a new tax care should be taken not to create trouble or discontent. In his own case the valuator came to him and brought him a paper, requesting him to fill it up, which he declined to do. He said, No; the Act enabled the valuator to put any questions, and he was there ready to answer them; but he was not going to value his property, or put his hand to the paper. It was

Hon. Mr. Whitaker

for the valuator to make his valuation, and if he (Mr. Whitaker) was not satisfied he would adopt the course provided by the Act, and appeal. But the Act did not require that he should put any valuation at all on his own property, and he did not mean to do it. There was nothing compulsory in the Act to that effect. There was something printed at the top of the paper referring to clauses which imposed certain penalties; but anybody looking at these clauses would see that they did not apply in the manner indicated at the head of the paper. With regard to a great deal of the work of the department, he had no fault whatever to find. So far as valuations were concerned, he appealed in one case, in which he had been taxed for property which he had never seen or heard of. They exonerated him at once as soon as he explained the matter. He felt that the men connected with the department had difficulties to contend with in not having sufficient time allowed them to perform their duties. In a matter of this kind the greatest latitude must be given as regards time; and it was better to take sufficient time than to create all sorts of difficulties in carrying out the provisions of the Act before a proper time was allowed for the perfecting of its machinery. An honorable gentleman who had previously spoken had mistaken the functions of the Resident Magistrates and the Courts generally. The Court was not supposed to know all these things of itself. The Resident Magistrate was not supposed to know the value of the property, or even to know the property itself; but what he was required to do was to form a judgment on the evidence brought before him. Of course it was the duty of those who objected, and the duty of the Government who sustained the valuation, to place proper evidence before the Resident Magistrate; and all he had to do was to judge on the evidence, and give a decision accordingly for one side or the other. Resident Magistrates tried questions with regard to ships and every description of property, but nobody supposed for a moment that they knew anything particularly about the property with which they were dealing as Judges. As regarded the proceedings to be taken under this new Bill which was coming in, he would not discuss its provisions now, as it would be before the Council in a few days; it would then be competent for all honorable members who had particular views on the subject to express their opinions. In the meantime he would simply say that it was the earnest wish of the Government that the imposition of the tax should be made as convenient and pleasant for the people as it was possible to make a heavy tax of that description pleasant. He assured the Hon. Colonel Whitmore that the Government did not wish to punish the people and themselves by imposing this tax merely for the sake of casting blame on the late Government. The honorable and gallant gentleman supposed that everything which was done was done for the purpose merely of blaming the late Government. In that he was mistaken. He (Mr. Whitaker) would never go out of his way for the purpose of blaming the late Government; but when the honorable member brought the subject under discussion he would,

of course, take his part in it. He had no objection to the motion.

The Hon. Mr. G. BUCKLEY said that a great deal of the dissatisfaction which existed in the minds of the public in regard to the valuations had, there could be no doubt, arisen from the incompetency of those who were employed to value property. What was wanted was a more simple and effectual Court of Revision, which people could attend without the loss of time which was at present incurred. With regard to the valuation under the Land-Tax Act, he was sure that great injustice had been done to a very large number of individuals. He knew that in many cases parties had submitted to very large valuations, and, although they gave notice of appeal, they had to pay the tax. In his own case, two properties of his were valued at just double what he would take for them. He had to go as far even as employing a lawyer in his absence; but he got no redress. He was still paying the tax on land for which he would take half what the valuation amounted to.

Motion agreed to.

LOCAL BILLS.

On the motion of the Hon. Mr. ACLAND, it was resolved, That the name of the Hon. Sir F. Dillon Bell be discharged from the Local Bills Committee (A), and that the name of the Hon. Mr. Nurse be added thereto.

CHRISTCHURCH DRILL-SHED BILL.

The Hon. Colonel BRETT, in moving the second reading of this Bill, would like to bring before the Council a few of its merits. In the year 1863 the Canterbury Provincial Council purchased six quarter-acres of land within the boundary of Christchurch. It was vested in the Superintendent of Canterbury for public purposes. The Superintendent applied these six quarter-acres to the purposes of the Volunteers, and erected a large drill-shed of galvanized iron, and enclosed it with a seven-feet galvanized iron fence. He also erected a building of two or three rooms for an orderly-room, and for keeping records and other matters connected with the Volunteers. This was a very large drill-shed, where three or four companies could drill every evening; and the police had the privilege of drilling there whenever they required it. Since the abolition of provinces, naturally the General Government took charge of this property, and it had not deprived the Volunteers of this land, and they still had possession of it. But the place had got into very bad repair, and the adjoining office had been burnt down by accident. This was brought under the notice of the Government, with a view to its being rebuilt. An answer was received to the effect that the Government had no funds to carry out the repairs. Therefore it had been suggested to bring in a Bill to deal with the difficulty. No one, he was sure, would object to the Bill. The property was placed under the trusteeship of four senior officers of the Volunteers, who took a special interest in the welfare of the movement. To enable those trustees to obtain a little money for the repairs

which were absolutely necessary, it was proposed that a portion of this land should be let for a period of twenty-one years. If the rents were not sufficient to keep the place in repair it was proposed to give authority to borrow the sum of £5,000. They might only want £500, but they thought it was desirable to ask for the larger amount, because they always did everything in a handsome and liberal style, and did not want to do anything in a mean way, in Canterbury. Under this Bill the Governor would have authority to appoint other trustees in the event of those named in the Bill resigning, or in case of death. He hoped the promoters of the Bill would have no objection to the alterations that were proposed by the Local Bills Committee.

The Hon. Sir F. DILLON BELL said that, if the Bill had been one limited to the occupation of the six quarter-acre sections by the Volunteers, he should have considered that perfectly right, and should have raised no objection to it: but this Bill proposed to do two things—to grant this drill-shed and land to certain persons in trust for the Volunteers, and to give them the power to have buildings put up over a large part of it. He had always protested, and should always protest as long as he had a seat in the Legislature, against the closing of the few open places which were left in the centre of our populous cities. One of these days they would bitterly regret it if all the open places in the large towns were closed; and he had been successful on a great many occasions in preventing this, especially in the case of Oamaru, where the Municipality wished to have the power of covering a large space with buildings, as the Christchurch Volunteers wished to do in this case. He could not consent, upon such grounds as were stated by the Hon. Colonel Brett, to covering this reserve with buildings. But there was another point to be borne in mind in this matter—namely, the interest of the General Government. The General Government did not seem to him to value one pin the very small extent of land they had left in the various cities. No sooner did a piece of land come into the hands of the General Government than everybody seemed to consider it fair prey, and tried to seize upon it; and then, if the Government were themselves pressed for space, they had to give enormous compensation or buy the land at a high price. He thought the General Government of this country were very foolish in allowing Bill after Bill and proposition after proposition to pass, which took away the small remaining property belonging to the Crown.

The Hon. Mr. REYNOLDS.—It belongs to the Volunteers now.

The Hon. Sir F. DILLON BELL said the honorable gentleman made the statement broadly that this land belonged to the Volunteers. The land did not belong to the Volunteers at all: it belonged to the Provincial Government, and was paid for by public money, and when the provinces were abolished it reverted to the Crown. His honorable friend was really not very well acquainted with the matter. The land, in the first place, was bought by public money: it was

paid for out of public revenue, and reverted to the Crown by the operation of the Abolition Act; and it no more belonged to the Volunteers of Christchurch than it did to him. If it did, where was the necessity for this Bill? The second point was not of the same importance to him as the first. The great point was the consideration of the public health, which he would press on the attention of the Council. Then, again, this was a borrowing Bill: and what Bill had they now that was not a borrowing Bill? His honorable friend Colonel Brett thought himself like Clive, and stood astonished at his own moderation. If he wished to get the power to borrow money for the purpose of covering this space with buildings, why did not the honorable gentleman ask for £100,000, and then get his loan floated on the London Stock Exchange? The honorable gentleman went so far as to want power to borrow money upon what seemed to be nothing; there was no security at present, but a security was to be created by the rents and profits arising from buildings not yet erected. He objected to the buildings being put up at all, and objected to the Government allowing the reserve to be alienated from the Crown.

The Hon. Captain FRASER did not see how the Council could refuse to pass this Bill. In 1876 he brought in a similar Bill, and, after it had been amended in some of its provisions by the Hon. Dr. Pollen, who then led the Council, it was passed. That Bill gave to the Dunedin Volunteers a piece of land, on which they had since erected, and were now using, a building which made the property worth some £50,000. But there was one proviso in this Bill which he confessed he did not like, because its operation would be to alienate the land from the Crown for ever. He referred to the proviso which enabled the trustees to lease the land for twenty-one years. The Bill of 1876 did not contain such a provision. There was no necessity for it, and therefore he did not see why it should be retained. He thought there was some ulterior motive at the bottom of that provision, and he should oppose it in Committee.

The Hon. Mr. REYNOLDS said this land was purchased by the Provincial Government of Canterbury, and this part of it was handed over for Volunteer purposes.

An Hon. MEMBER.—No.

The Hon. Mr. REYNOLDS said that was the effect of the evidence given before the Committee, and, at any rate, the land had been in the possession of the Volunteers for some considerable time: in fact, it was their property at the present time, and he thought all they wanted now was to be enabled to deal with it just as the Dunedin Volunteers were able to deal with their drill-shed property. That being the case, he thought the Council had no alternative but to pass the Bill.

The Hon. Mr. WHITAKER agreed with the Hon. Sir F. Dillon Bell that it was wrong of the Government to divest itself of land which probably would be required by the Government in time for their own purposes, because it was well known that when the Government required land they were put to a very large expense before they

could acquire it. But this did not appear to be land of the description to which the honorable gentleman referred. It did not appear to have been granted by the Crown, but, on the contrary, held under certain deeds of conveyance. He presumed that meant, that the land was purchased by the Superintendent of Canterbury, and was then devoted to the purpose of a drill-shed. Having been purchased for that purpose, and vested in the Superintendent of Canterbury, by the operation of the Abolition of Provinces Act it fell into the hands of the General Government; and therefore it appeared to him that the Government were bound to place the land in the same position as before the abolition of the provinces took effect, or, at any rate, to provide that it should be held for the same purpose. As to what would be the best way of managing the land, that, of course, was a question to be discussed in Committee. The only objection he had to the Bill was that, although it provided that the land was not to be disposed of, still it might in effect be disposed of in a roundabout way. If the trustees borrowed money upon it and neglected to pay the interest, then the land might go; whereas he thought that where land was set apart for purposes of this sort it should be made inalienable.

The Hon. Mr. G. BUCKLEY had been anxiously waiting to hear what the Hon. the Attorney-General would say in reference to this Bill, because he understood that the Government took objection to it in the other branch of the Legislature, but were defeated on the point. With respect to the Bill itself, and the particular reserve, he might say that it formed a block of land which was purchased in Christchurch by the Provincial Government for public purposes, for the reason that they had none of their own at the time in the city. On a portion of the block was built a watchhouse and police-station, and they voted funds and erected buildings on the other portion which had been in the possession of the Volunteers ever since. The Volunteers had no property in the reserve at all. They had only been in possession on sufferance, and he asked why so large a piece of land should now be given to them.

The Hon. Mr. WHITAKER had assumed that the land was regularly set apart for the purpose to which it was devoted.

The Hon. Mr. G. BUCKLEY said it was only done in this way: that a vote was taken by the Provincial Council for erecting these buildings. There would be little objection to the Bill if it merely gave the quarter-acre or half-acre upon which the drill-shed stood; but why should all the other land be given as well? He believed it was the only piece of land that the General Government had in Christchurch. They had divested themselves of every other reserve, and therefore they should not lightly part with this. But there was another and a more particular reason why the land should not be given away. For a long time past the Resident Magistrate's Court of Christchurch had been a disgrace to the colony. The present Courthouse was erected twenty-five years ago, and now it was in such a

Hon. Sir F. Dillon Bell

dilapidated state that when rain fell the Bar and the reporters and others had to ask leave to put up their umbrellas in order to protect themselves. For a long time the Government had promised that a new Resident Magistrate's Court should be built, and when the time came it would be found that they had no land on which to erect the building. Now, this particular piece would be especially suitable for the purpose. Not only was it in a central part of Christchurch, but it joined the police office and watchhouse. Thus he had great objection to the Bill, and he certainly should oppose it on that account. He saw in the Schedule there was no less than an acre and a half, and he was sure that the Volunteers could not occupy more than a quarter of an acre. He trusted the Government would not give up the land, because, if they did, they would have to go into the market and pay very high for a site for a Resident Magistrate's Courthouse. The land was worth £8,000 or £10,000; and why the Volunteers should be allowed so much land, in order to make a profit out of it at the expense of the Government, was a thing he could not understand.

The Hon. Mr. GRAY thought the Hon. Sir F. Dillon Bell did not know the locality when he laid so great a stress upon blocking up places in the town. He could not at all agree with him in this particular instance, although he went entirely with him as to the general principle, because this land was in the close neighbourhood of the Botanical Gardens, the Government Domain, and very near another large open space called Cranmer Square. He also thought the Hon. Mr. Buckley had taken rather a partisan view of this matter; and, so far as his remarks about finding a site for the new Courthouse were concerned, he (Mr. Gray) saw no reason why the new Courthouse should not be erected upon the site of the present one. There was a large space round it, and there was plenty of room. He did not expect to see the Bill meet with so much opposition, and he hoped that the Council would agree to read it a second time.

The Hon. Dr. POLLEN said that in the Committee to which the Bill had been referred the questions now raised were all carefully considered, and it was thought that, with the alterations they proposed to make in the Bill, it might be passed, and the public interest be still conserved, inasmuch as they proposed to prevent the Commissioners from disposing of the whole of the land, as proposed in the 7th clause; and in the 15th clause it was provided that, in the event of the several corps of the Christchurch Volunteers failing to keep up the standard of efficiency of service, as the same may from time to time be prescribed by the Volunteer Regulations, or of their services being discontinued, or of their being disbanded, then and in either of such cases the land shall revert to the Crown. It was then thought worth while to make, for the present, what he might call this sacrifice of profit and income for the purpose of maintaining the standard of efficiency of the Volunteers in the Christchurch District. However, his objection to the Bill was an objection of a more general character, and that

was, that the Bill proposed to treat exceptionally the Volunteer corps in a particular district. He held that the Volunteer corps should be treated as a whole alike, and that, the services of all being supposed to be equal, and their value to the State being equal, it was not fair that such a body as the Dunedin Volunteers or the Christchurch Volunteers should have advantages of income extended to them which were not extended to Volunteers in other parts of the colony, especially when it was considered that the Volunteers in this Island stood in the face of dangers which were not experienced by the Volunteers in the South. He thought it might possibly be worth the while of the Government to adopt a system by which provision should be made for the exigencies of all corps in respect to drill-sheds. Now, however, the principle having been adopted by the Council in 1876 that exceptional treatment might occasionally be afforded, it appeared to him that it would be acting harshly not to pass such a Bill as this, more particularly as it had been accepted by the Government in another branch of the Legislature.

The Hon. Colonel WHITMORE agreed that the Volunteer corps of the colony should be treated as a whole; but it must be remembered that circumstances were not the same in all parts of the colony, and inequalities would have to be remedied gradually. In Dunedin, as in Auckland and elsewhere, the Provincial Government had provided for their Volunteers; but when abolition of the provinces took place it was found that the land had not been vested in trustees. There was consequently no security of tenure, and there was no one to turn the endowment to profitable use unless this Legislature would carry out what had been the obvious intention of the local Legislature. Consequently a Bill was introduced in 1876, and was passed, a clause being inserted to the effect that, in the event of the Volunteer corps failing in efficiency or disbanding, then the land should revert to the Crown. It was not intended to benefit any particular individuals, but simply to encourage the Volunteers to keep up their efficiency. In Auckland there was a drill-shed built by the Provincial Government, and, if it could be shown that there was any reserve intended to be given to the Volunteers by the Provincial Government, he should be glad to assist in passing a Bill to give them that reserve. In other cases, where no provision had been made, he hoped the Government would give all reasonable assistance towards the acquirement of drill-shed accommodation. In Wellington the late Government had received favourably a proposal to give the Volunteers two valuable sections of land; also to grant them a sum of money which would be quite sufficient to erect all the buildings absolutely necessary for the purposes of a drill-shed, but not sufficient to put up a building which would conform to the municipal law, and which would enable the Volunteers to make anything out of it by leasing it. The late Government had promised—and no doubt the present Government would carry out the promise—to give the Wanganui Volunteers 10s. for every pound raised in the district, and so on in respect to Napier and

Waikato; while, as to Wainuku, a Bill to assist the Volunteers there in getting a drill-shed would shortly be brought before the Council. It was impossible that Volunteer corps could be kept in creditable discipline unless they had some place provided in which they could be drilled; and if drill-sheds were allowed to go to ruin a great waste of public money must ensue. The duty of the Government was clearly this: to assist Volunteers in getting drill-sheds, and to give them some means of keeping in repair existing drill-sheds. As to this Bill, while he was disposed to be liberal, he could see no reason why the extent of land granted should not be limited; and it would be interesting to hear from some honorable gentleman in the confidence of the Christchurch Volunteers whether they would be prepared to accept a reduced area. It was impossible for artillery to be maintained in order unless it was kept under cover; and, as the ordinary working-men could only attend drill at night, it was necessary to provide them with some place which could be lit up. If the colony was to have an efficient Volunteer force, the colony must give them reasonable encouragement. He did not know what the financial circumstances of the Christchurch corps were, but it was fair to say that there was a great deal of difficulty in getting subscriptions from the public for Volunteer purposes. In England the great bulk of the money required was subscribed by the superior officers, who treated the thing as a hobby and took a pride in their position. Here, on the contrary, there was not that difference between the classes; there was not that leisured class to take up the position. The leaders were young men who had no opportunity of making a competence; and as the ordinary expenses were much heavier than in England—the uniform alone costing £9 10s., he understood—they had a pretty heavy sum to pay as it was. He had been assured by one working-man that he never got out of the Volunteer year under £20. In the North Island it was more particularly desirable that the Government should do everything it could to encourage the Volunteers; but at the same time it should be remembered that, a short time ago, when a difficulty appeared to be imminent, large numbers of the South Island Volunteers offered to come up as a body, artillery and infantry, to aid the Government in repressing an outbreak. That should be borne in mind, because it showed honorable gentlemen that Volunteering was not altogether a plaything; and in a case like this a point might be reasonably stretched. He should, therefore, support the second reading of the Bill.

The Hon. Mr. WILSON suggested that the honorable member in charge of the Bill should be allowed a second reading on the understanding that the question of area would be freely discussed, and the extent of land mentioned in the Schedule reduced if the Council then thought it desirable.

The Hon. Mr. WOOD said that, although he was a member of the Committee which had considered this Bill, he did not feel himself strictly bound to the exact letter of the Bill as it now

Hon. Colonel Whitmore

stood. There were two alterations which he should not object to: one was the suggestion of the Hon. Colonel Whitmore, that it should be ascertained as nearly as possible how much land the Volunteers actually did require, and they should take no more than was really required. Then it would follow, as a natural consequence, that the borrowing powers would be limited to a smaller sum.

The Hon. Colonel BRETT, in reply, said that, with reference to the objections raised by the Hon. Sir F. Dillon Bell, he believed that if the honorable gentleman saw the place where this drill-shed was built he would withdraw his opposition. It was in a very obscure, very deserted, and very low position, and it was not likely that any residences would be built there.

An Hon. MEMBER.—The Courthouse.

The Hon. Colonel BRETT said there would be a great objection to erecting the Courthouse there, because it would be very inconvenient to the inhabitants, whereas the place was admirably suited for the purpose to which it was now applied. The Volunteers would have no place to parade in if they were allowed only the space mentioned by the Hon. Mr. Buckley. When the reviewing officer and the Governor went down to Canterbury the Volunteers were paraded in the open air—not in the drill-shed. The drill-shed was intended for the short days, when the Volunteers could go and have a couple of hours' drill at night. It would be far better to do away with the Volunteers than to confine them to a small space. The question was, whether they were to have Volunteers, or whether they would allow their land to be taken from them by an invading army. That was the question. When there were no Volunteers this Bill promised that the land would go straight into the possession of the General Government. Very likely they would have a millennium when no soldiers would be required. He sincerely trusted honorable members would support him in the second reading of this Bill.

Bill read a second time.

The Council adjourned at twenty minutes past five o'clock p.m.

HOUSE OF REPRESENTATIVES.

Thursday, 20th November, 1879.

First Readings—Second Readings—Third Readings—Bills Discharged—Greymouth-Cobden Bridge—Local Paymasters—Addington Railway Workshops—Auckland Railway Workshops—Width of Streets and Roads Bill—Prevention of Corruption Bill—Tariff—Awatere Shearing Reserve Bill—Wanganui Endowed School Bill—Auckland Improvement Commissioners Transfer of Powers Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Timaru Harbour Board Empowering Bill, Clutha Harbour Board Borrowing Bill.

SECOND READINGS.

Alexandra Corporation Reserve Bill, Forest Trees Planting Encouragement Bill, Wellington Provincial District Highway Boards Bill, Counties Bill, Napier and Meanee Recreation-Ground Bill, Palmerston North Reserves Bill, Registration of Dogs Bill, Auckland Harbour Board Bill, Canterbury Rivers Bill, Oreti Bridge and Ferry Reserves Bill, Municipal Corporations Bill, Kaitangata and Wangaloa Athenæums Reserves Bill, Riverton Drill-shed Reserve Bill.

THIRD READINGS.

Otago University Reserves Leasing Bill, Hokitika Harbour Board Endowment Bill, Patents Bill, Waitara Harbour Board Land and Borrowing Bill.

BILLS DISCHARGED.

Towns on Private Lands Regulation Bill, Maori Members Election Validation Bill, Registration of Births and Deaths Bill, Mines Bill.

GREYMOUTH-COBDEN BRIDGE.

Mr. REEVES asked the Minister for Public Works, If it is his intention to place a sufficient sum of money on the estimates for the purpose of building a dray-bridge to connect Greymouth and Cobden? There had been promises from time to time that a bridge should be erected over the Grey River connecting these two important places. It was a curious fact that Greymouth, which was about the fifth most important town in the colony, should be still left without a bridge.

Mr. OLIVER replied that it would cost about £12,000 to £14,000 to erect a dray-bridge across the river, and the Government did not see their way to spare so large a sum of money at present for the purpose.

LOCAL PAYMASTERS.

Mr. REEVES asked the Government, If they will take into consideration the desirability of reverting to the former practice of local paymasters, in order to facilitate payment of local

contractors? The system of having local paymasters had been a great convenience to contractors, and especially to those on the West Coast. The system was, however, abolished about five or six years ago, and vouchers had now to be sent from the Engineer's office on the spot to Wellington, from which they were often sent back again in consequence of some technical informalities. He had known contractors to be kept out of five or six thousand pounds for months from some trifling cause of that kind. The only reason given for abolishing the system was, that the Government lost some amount of interest through making payments by local paymasters; but he thought that difficulty could be obviated by making arrangements with the bank. He trusted the Government would see their way to returning to a system which had worked so well.

Mr. OLIVER replied that under the present régime payments were made about the middle of the month for work completed the previous month. The system worked very well, and there was no notice in the office of any contractors suffering any wrong through it.

ADDINGTON RAILWAY WORKSHOPS.

Mr. DICK, in the absence of Mr. Stewart, asked the Minister for Public Works, If he will state the area of land belonging to the Government at Addington, from whom the same was purchased, the amount of purchase-money, the date of purchase, and through whom the purchase was effected; the estimated cost of the Addington Workshops, stating separately the outlay incurred in levelling and forming the land; the expense of the buildings, machinery, &c.; the value of the available plant belonging to the old workshops; the value of the rolling-stock ordered during the last financial year, and whether such orders were provided for in last year's appropriations; from what countries such rolling-stock was obtained, and where the same was manufactured?

Mr. OLIVER, in reply to the first part of the question, read the following return:—

RETURN of Land belonging to Government at Addington, acquired for Workshops; showing the Area, from whom the same was purchased, the amount of Purchase-Money, the Date of Purchase, and through whom the Purchase was effected.

Date of Purchase.	From whom purchased.	Through whom the Purchase was effected.	Area.			Amount of Purchase-Money.		
			A.	R.	P.	£	s.	d.
Dec. 12, 1877	J. T. Bell ...	G. P. Williams, District Engineer ...	* 4	3	2	2,150	0	0
Jan. 31, 1878	J. Rosewarne ...	J. T. Bell, Land Agent ...	* 15	0	0	2,000	0	0
Jan. 31, 1878	W. Pratt ...	J. T. Bell, Land Agent ...	* 0	2	4	800	0	0
Oct. 15, 1878	J. L. Hobden..	W. Conyers, Com. of Railways, M. I.	0	1	2	95	0	0
July 24, 1879	J. Nicholls ...	Award of Crt. £3,360, Costs £140 13 4	* 5	0	0	3,500	13	4
	E. C. J. Stevens	T. Calcutt, Land Purchase Officer ...	0	2	4	not agreed upon.		
	D. Whyte ...	(No claim sent in)	0	3	21	"	"	"
			26	8	33			
NOTE.—P.W. 79/2211—Land acquired by Prov. Govt. of Canterbury...			6	0	0	£1,575	0	0

* And buildings.

W. A. THOMAS,
Accountant Public Works.

20th November, 1879.

VOL. XXXIII.—48.

The estimated cost of the workshops was,—

Levelling and forming ground	£ 250
Sidings	2,775
Buildings	11,900
Drainage, fencing, &c.	4,530
Total	19,335

Estimated cost of machinery—

Estimated value of machinery and plant in old shops	3,075
Estimated cost of new machinery ordered	9,778
Total	12,853

Total cost of workshops, including machinery ... 32,208

The answer to that part of the question which referred to the rolling-stock was,—

"Including an order sent on the 22nd June, 1878, the value of the rolling-stock and machinery ordered last year for working railways in Canterbury and Otago, and allowing for erection, was about £270,000. The amount for additional rolling-stock on the estimates was about £21,000. Six locomotives, ten carriages, and all the workshops machinery were ordered from America. The remainder of the orders went to England."

Mr. STEVENS said that, as the Minister for Public Works had mentioned his name as one from whom land had been purchased, he might explain that that was an error. The land had been taken from him under the provisions of the Immigration and Public Works Act.

Mr. OLIVER had not wished to convey the impression that the land had been purchased from the honorable gentleman. He said that the price was not yet fixed.

AUCKLAND RAILWAY WORKSHOPS.

Mr. HAMLIN, in moving the motion standing in his name, said the engineers generally were in favour of a certain site for the Auckland railway workshops, while other people were in favour of having them erected at another place, which must cost the colony a considerable sum of money. As not only the present but other Governments found themselves in a dilemma in coming to a decision, he thought it wise and right to ask for a Committee to inquire into the whole matter and bring up a report, making a fair recommendation which could be accepted by the House.

Motion made, and question proposed, "That a Committee be appointed to inquire into and report to this House within two weeks as to the most suitable and least expensive place for erecting the railway workshops for the Provincial District of Auckland. Such Committee to consist of Mr. Oliver, Mr. Macandrew, Mr. Tole, Mr. Whyte, Major Harris, Mr. Bunney, Mr. J. T. Fisher, Mr. Whitaker, Mr. Reeves, and the mover. Five to be a quorum."—(Mr Hamlin.)

Mr. OLIVER hoped the honorable member would not press this motion. There was no difficulty whatever in the matter so far as the Government were concerned. It was purely an administrative act which they were called upon to perform—namely, to select the most suitable site in the interests of the public generally.

Mr. Oliver

There were two sites, one of which had been purchased at large expense in the neighbourhood of Auckland, and the other was some sixteen miles distant. The matter was still engaging the attention of the Government. They had ample means at their disposal to come to a proper decision, and they would act in this matter, as in others, solely in the interest of the public.

Mr. MACANDREW hoped that, if this motion were passed, the honorable member for Franklin would excuse him from serving. He had already arrived at a conclusion on the subject. The site was fixed upon by the late Government, and tenders were called for; and he would have some hesitation in joining the Committee with a foregone conclusion in his mind. It was a matter that should rest with the Government. He did not know where this motion would lead them to, as he knew that there were about a hundred and fifty disputes about workshops and railway stations, and, if Committees were appointed for each, there would be plenty to do in that line.

Mr. LONDON would like to be called as a witness if this Committee were appointed. He knew the place where it was proposed to erect the workshops, and he knew that about £4,000 had been paid for a site without a vote by the House. A large piece of land was bought at Papakura by Daniel McGee as a speculation, and he believed the engineers were a party to that speculation. Then there was a piece of ground at Onehunga, forty acres in extent, with springs of water, and as level as the floor of the House. There was sufficient population there, and all that could be required. That was the place where the Government ought to put up the workshops. There were lots of suitable sites about Auckland.

Mr. TOLE said the honorable member who last spoke was one of those who thought it would be for the public interest to have the seat of Government, the workshops, and everything else in the shape of public expenditure, at Onehunga or Hokianga. He hoped the House, as indicated by the Minister for Public Works, would disapprove of the proposition in this motion. They had been a long time trying to get a new site for workshops in Auckland, and no doubt there was a great necessity to remove the present workshops. The ground in Auckland was very limited, and every available inch of space was required now for the rolling-stock and terminus. After great difficulty, a site had been provided, through the personal efforts of the honorable member for Newton and himself, from residents in Newmarket, which had been fixed upon as the proper point between the two seaports. There was a site of fourteen acres, which would be sufficient for the next century for all the workshops of Auckland and all railway exigencies. It was procured for £4,000 from the vendors, almost upon the distinct understanding—indeed, as a sort of concession or compliment—that, for the best interests of the colony, the workshops should be erected there. Considerably more than the sum paid for it could be realized to-morrow. It was entirely wrong to state that the money for this land was not appropriated by the House. It was right and necessary that the workshops should be placed

there, because it was between the two seaports, and was the junction of the north-western and southern lines. It was handy for the workmen, afforded facilities for unloading railway material from the shipping, also for distributing it with convenience to various parts of the line, and altogether it had been determined upon as the best site for the Auckland workshops. As had been indicated by the Minister for Public Works, this was purely a question of administration, and should be left with the Government. The proposed Committee was not a proper tribunal to try a local case of this kind. Many of the gentlemen on the Committee were ostensibly and avowedly interested in placing the workshops at Papakura. By way of courtesy, he supposed, to himself, he being interested in Newmarket, the honorable gentleman had put his name on the Committee; but he had not put on the names of Mr. Speaker, the honorable member for Parnell, the honorable member for Waitemata, the honorable member for Newton, or even the honorable member for Mongonui. He had taken a few southern members, and also his colleague (Major Harris), and other members who were decidedly interested in putting the workshops of the line at Papakura. The matter had already been decided by the late Government, and it should now also be left to the Government. Personally he would not sit on the Committee. This Committee could not inspect the ground, and would be merely guided by hearsay evidence. It would not be fair to decide in this manner a question which had been already and repeatedly determined upon.

Mr. MOSS could not understand why this question was reopened at all. It had long ago been settled by the late Government, and a very strong and emphatic opinion had been expressed in favour of the Newmarket site by the present Attorney-General a few months ago publicly, in the presence of hundreds of people. The question had always been looked upon as settled. Tenders were called for, and they ought to have been accepted and the work undertaken before this. It was most improper to refer this matter to a Committee, thus taking out of the hands of the Government what was purely an administrative question, on which they had full evidence, and on which a decision had been come to over and over again. The Committee could not possibly devote the time required to look into the question and get the accurate data which the Government had, especially when no member of the Government knew the locality so well as the Attorney-General. He hoped the Government would not sanction this motion.

Mr. HAMLIN, in reply, said he was somewhat surprised at the argument of the honorable member for Eden. He first of all asked that the honorable member for Waitemata, and half a dozen other Auckland members, should be placed on the Committee. If he desired that the whole House should be on the Committee, he should move that Mr. Speaker do leave the chair for the purpose of considering the resolution in Committee of the Whole. As to the difficulty of getting a site, if the Government had made any

inquiry at all with the intention of adopting the best site they need not have spent one half of the public money which had been expended in purchasing a site at Newmarket. The honorable gentleman tried to make the House believe that the individual who sold this property for £4,500 was a most self-sacrificing individual indeed. That was simply the merest claptrap. He sold it with the view of improving the land he held a few miles further on the road. The site at Newmarket was wholly unsuitable, as there was not sufficient ground there. The argument of the honorable member for the Bay of Islands, that a man named McGee had purchased land on the understanding that it was to be made a railway site, was not worth anything. The Government had a reserve at Papakura long prior to the railway being made, and they had no right to spend a single penny of the public money in the purchase of land as a site for railway workshops whilst they had that magnificent piece of land on which to erect them. The expenditure did not cease with the purchase of the land. Tenders had been sent in to the Government for making the Newmarket site suitable for the erection of the workshops. That would cost another £4,500. Thus £10,000 would be expended on the site alone. The thing was monstrous, and carried its own condemnation on the face of it. He was surprised to find any honorable gentleman saying that this matter had been publicly arranged. Very few persons in the colony knew anything about it, or the decision arrived at. It was his determination to carry the resolution to a division, and let the burden of the blame rest upon those persons who chose to oppose it, and to stifle public opinion upon the subject. He felt perfectly sure that if these workshops were erected at Newmarket the greatest blunder would be made, and that in the course of eight or ten years the colony would be called upon to spend £20,000 or £30,000 in removing the railway workshops to a better and more suitable position elsewhere. The Government had also land at Otahuhu upon which these workshops could be erected. He expected to receive a petition on the subject by the mail due next day. In bringing forward this motion, he felt that he was doing his duty in the interest of the whole Provincial District of Auckland. He would carry the resolution to a division, no matter what its fate might be.

Question put, "That the resolution be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	44
Majority against...	...	...	...	...	27

AYES.

Mr. Allwright,	Mr. Shephard,
Mr. Andrews,	Mr. Shrimski,
Mr. De Lantour,	Mr. Tomoana,
Major Harris,	Mr. Turnbull,
Mr. Hislop,	Mr. Whyte,
Mr. Hursthouse,	Mr. Wright.

Mr. McDonald,
Mr. Reeves,
Mr. Shanks,

Tellers.
Mr. Hamlin,
Mr. Whitaker.

Noes.

Mr. Acton Adams,
Major Atkinson,
Mr. Bain,
Mr. Ballance,
Mr. Bowen,
Captain Colbeck,
Mr. Dick,
Mr. Fulton,
Mr. Gibbs,
Mr. Gisborne,
Mr. Hall,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Hutchison,
Mr. Ireland,
Mr. Johnston,
Mr. Kelly,
Mr. Levin,
Mr. Landon,
Mr. Macandrew,
Mr. Mason,
Mr. McLean,
Mr. Montgomery,

Mr. Murray,
Mr. Oliver,
Mr. Pitt,
Mr. Pyke,
Mr. Reid,
Mr. Rolleston,
Captain Russell,
Mr. Saunders,
Mr. Speight,
Mr. Stevens,
Mr. Sutton,
Mr. Swanson,
Mr. Tawhai,
Mr. Thomson,
Colonel Trimble,
Mr. Wakefield,
Dr. Wallis,
Major Willis,
Mr. Reader Wood.

Tellers.
Mr. Moes,
Mr. Tole.

The motion was consequently negatived.

WIDTH OF STREETS AND ROADS BILL.

Mr. THOMSON, in moving the second reading of this Bill, said that those honorable members who had been in the House for a few years were aware that the question of laying out towns had several times been before the Legislature. In 1875 a Bill was introduced referring to Crown lands and to private lands. The Bill was carried, but all reference to private lands was struck out. One difficulty in dealing with this matter was, how to define a town. It was proposed to get over that difficulty by not limiting the application of this Bill to towns. The principle of the Bill was, that all streets and all roads that might henceforth be laid out in the colony were not to be less than one chain in width. With regard to towns, he was sure every member would admit that it was very desirable that the streets should be at least one chain in width, on the ground of health, and on many other grounds, which he would not take up the time of the House in specifying. With regard to rural lands, it was known that owners were cutting up their properties—that the man with a large property cut it into farms, and the man with a farm sometimes divided it into allotments suitable for what he might call peasant proprietors. Now, as a rule the roads laid out were only half a chain in width. It would be admitted by all that that was far too narrow for carrying on the ordinary operations for which roads were intended, such as the driving of stock, and dray and carriage traffic; and this Bill provided that in future these roads were to be one chain in width. He would not take up the time of the House by entering into the objections which might be urged against the Bill. He was sure it must recommend itself to the good sense and good feel-

Mr. Hamlin

ing of every member present, and he would therefore content himself with moving that it be read a second time.

Mr. FULTON could not support the proposal contained in this Bill. He thought there were many cases in which it would be very injurious to insist that roads should be of the width specified. He would not take up the time of the House by discussing the matter, and would only intimate his intention to oppose the Bill.

Bill read a second time.

PREVENTION OF CORRUPTION BILL.

Sir G. GREY, in moving the second reading of this Bill, said that, with the exception of a few words which had been added, it was a copy of a Bill which it had been necessary to enforce in the United States. He believed the House would agree that, so long as the system of public works was carried on in this country, and so long as it was in the power of the Government to give extraordinary facilities in some cases for dealing with Native lands and allowing vast properties to be acquired, some such Bill as this was necessary to secure the independence of Parliament. Its object was to throw a safeguard round the House. It would injure no one who did not do wrong; and by preserving the independence of the Parliament in this way a guarantee would be given to the people of the colony that undue influences would not be brought to bear upon members, either by the Government or by persons outside the House. They had had evidence of the necessity for such a Bill in New Zealand, and he trusted the House would allow it to go into Committee, where it could be fully discussed. He would not delay the House longer, as he would be able to reply when the time came to any objections that might be raised against the Bill.

Mr. HALL did not intend to oppose the second reading of the Bill, although he was bound to say his experience of public life in New Zealand had not satisfied him that such a Bill was at all required. If, however, the honorable gentleman's experience, which was of longer duration, led him to an opposite conclusion, he (Mr. Hall) would not oppose the second reading of the measure; but, if the Bill went into Committee, he would feel it his duty to propose very large additions to it, including a variety of other offences besides those already provided for. The Bill did not contain provisions for punishing falsehood, deceit, misrepresentation, or other offences of that kind, which ought to be punished in the same way as those offences for which punishments were provided.

Bill read a second time.

TARIFF.

The adjourned debate was resumed on the question, That, in the opinion of this House, His Excellency the Governor should be moved to issue a Commission to take evidence at the principal commercial centres of New Zealand, and to report upon the operation of the present tariff, with a view to such a readjustment of the Customs duties as may be considered best calculated to foster the

various branches of industry now established within the colony;

And the amendment, At the end of the question to add the following words: "if, in the opinion of the Government, upon consideration of the report of the Select Committee now sitting upon the promotion of native industries, it shall appear expedient to do so."

Mr. HALL asked leave to withdraw his amendment.

Mr. DE LAUTOUR would like to know whether, if the amendment were withdrawn, the House was pledged to accept the original motion.

Mr. HALL only asked leave to withdraw the amendment because the Government had explained their intentions on the subject in the Financial Statement.

Mr. DE LAUTOUR said the House must understand that, if it passed the resolution with the amendment withdrawn, it would be affirming the necessity for appointing this very expensive Commission during the recess. He did not feel very strongly on the subject himself, but he thought the responsibility should rest with the Government alone.

Amendment and original motion negatived.

AWATERE SHEARING RESERVE BILL.

This Bill was considered in Committee.

Mr. GEORGE moved, That the Chairman report progress, and ask leave to sit again.

Question put, "That I do report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	26

AYES.

Mr. Andrews,
Mr. Ballance,
Mr. Barron,
Mr. Brown,
Mr. Finn,
Mr. J. T. Fisher,
Mr. Gisborne,
Sir G. Grey,
Major Harris,
Mr. Hutchison,
Mr. Ireland,
Mr. Macandrew,
Mr. Montgomery,
Mr. Moss,

Mr. Reid,
Mr. Speight,
Mr. Stewart,
Mr. Tainui,
Mr. Tawhai,
Mr. Thomson,
Mr. Tole,
Mr. Tomoana,
Mr. Turnbull,
Dr. Wallis.

Tellers.

Mr. De Lautour,
Mr. George.

NOES.

Mr. Bain,
Mr. Beetham,
Mr. Bryce,
Captain Colbeck,
Mr. Dick,
Mr. Hall,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Mason,
Mr. McDonald,
Mr. Murray,
Mr. Oliver,
Mr. Pitt,
Mr. Rolleston,

Captain Russell,
Mr. Saunders,
Mr. Shanks,
Mr. Shephard,
Mr. Stevens,
Mr. Studholme,
Mr. Swanson,
Colonel Trimble,
Mr. Whitaker,
Major Willis.

Tellers.

Mr. Acton Adams,
Mr. Seymour.

The CHAIRMAN gave his casting vote with the Noes, and the amendment was consequently negatived.

Clause 4.—Proceeds of sales, how applied.

Question put, "That the clause, as amended, stand part of the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	35
Noes	...	...	...	...	25
Majority for	...	...	...	...	10

AYES.

Mr. Bain,
Mr. Beetham,
Mr. Bryce,
Captain Colbeck,
Mr. Dick,
Mr. Finn,
Mr. Hall,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Hursthouse,
Mr. Mason,
Mr. Masters,
Mr. McDonald,
Mr. McLean,
Mr. Murray,
Mr. Oliver,
Mr. Pitt,
Mr. Pyke,

Mr. Rolleston,
Captain Russell,
Mr. Saunders,
Mr. Shanks,
Mr. Shephard,
Mr. Stevens,
Mr. Studholme,
Mr. Sutton,
Mr. Swanson,
Mr. Tomoana,
Colonel Trimble,
Mr. Whitaker,
Mr. Whyte,
Major Willis,
Mr. Wright.
Tellers.
Mr. Acton Adams,
Mr. Seymour.

NOES.

Mr. Andrews,
Mr. Ballance,
Mr. Barron,
Mr. Brown,
Mr. J. B. Fisher,
Mr. J. T. Fisher,
Mr. Gisborne,
Sir G. Grey,
Major Harris,
Mr. Hislop,
Mr. Hutchison,
Mr. Ireland,
Mr. Macandrew,

Mr. Montgomery,
Mr. Moss,
Mr. Reid,
Mr. Speight,
Mr. Stewart,
Mr. Tainui,
Mr. Tawhai,
Mr. Thomson,
Mr. Tole,
Mr. Turnbull.
Tellers.
Mr. De Lautour,
Mr. George.

The clause was consequently agreed to.

Progress was reported.

Mr. DE LAUTOUR said the Committee reported progress with a view to directing the attention of Mr. Speaker to the Bill, and asking for his ruling on one or two points. This Bill was either a money Bill or a private Bill. It dealt with a reserve now vested in the Governor. It was proposed by the Bill to dispose of portions of the reserve which contained 12,000 acres, and to apply the proceeds to the construction of a specific road. It was an appropriation of the proceeds of Crown lands for the construction of a road in a certain district, and was therefore an appropriation of public money for public works, and ought to have been introduced by message or in Committee of the Whole. If it were held that it was not Crown land, but that the locality was merely asking for power to sell a reserve vested in the Superintendent for a specific purpose, and to apply the proceeds to another local purpose, the Bill must be held to be a private

Bill, and ought to have gone before the Examiner of Private Bills. He thought himself that it was a public Bill and a money Bill.

Mr. SPEAKER had looked into the Bill, and his opinion was, that it was not a money Bill. Money Bills were those of supply or of ways and means. It was an ordinary Bill dealing with a portion of land taken out of the Crown lands and set apart for a specific purpose. Bills dealing with reserves had not hitherto been treated as private Bills. The course taken by the House hitherto, as far as he could judge from the facts before him, appeared to be quite regular.

Mr. SHRIMSKI asked whether this Bill should not be submitted to the Waste Lands Committee.

Mr. SPEAKER did not think it was necessary, because this land appeared from the preamble to be held under Crown grant. The land, having reverted to the Governor under the Abolition of Provinces Act, did not come under the head of Crown land in the ordinary acceptation, but became vested in the Governor for the same purposes as were expressed in the grant to the Superintendent.

Mr. DE LAUTOUR said that perhaps he had not made himself quite clear. If the proceeds were still to be devoted to the purposes for which the reserve was made, he would not have raised the question. But, clearly, by the proceeds not being devoted to the purposes for which the reserve was made, it was held by the promoters of the Bill not to be any longer devoted to that purpose; and therefore the proceeds were public money. Of course he accepted Mr. Speaker's ruling.

Mr. HALL did not think the Act so distinctly appropriated the money for a particular purpose as to render further appropriation unnecessary. It merely said, "The Governor shall apply the moneys" received from the sale of the land in a certain way; but it did not use the ordinary words of appropriation. It was a question whether, for the purposes intended, it would not be necessary to bring in an Appropriation Bill.

The House went into Committee on the Bill.

Mr. GISBORNE moved the addition of the following new clause: "Nothing herein contained shall prejudice the legal rights of holders of existing leases within the said reserve."

Mr. SHRIMSKI moved, That the Chairman do leave the chair.

Question put, "That I do now leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	47

Majority against	...	...	...	...	34
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AYES.

Mr. Barron,	Mr. Stewart,
Mr. De Lautour,	Mr. Tainui,
Sir G. Grey,	Mr. Thomson,
Major Harris,	Mr. Turnbull,
Mr. Hislop,	Tellers.
Mr. Ireland,	Mr. George,
Mr. Speight,	Mr. Shrimski.

Mr. De Lautour

NOES.

Mr. Allwright,	Mr. McLean,
Mr. Andrews,	Mr. Montgomery,
Major Atkinson,	Mr. Murray,
Mr. Bain,	Mr. Oliver,
Mr. Ballance,	Mr. Rolleston,
Mr. Beetham,	Mr. Saunders,
Mr. Bowen,	Mr. Shanks,
Mr. Bryce,	Mr. Shephard,
Mr. Bunny,	Mr. Stevens,
Captain Colbeck,	Mr. Studholme,
Mr. Dick,	Mr. Sutton,
Mr. Finn,	Mr. Swanson,
Mr. J. B. Fisher,	Mr. Tole,
Mr. Fulton,	Mr. Tomoana,
Mr. Gisborne,	Colonel Trimble,
Mr. Hall,	Mr. Wakefield,
Mr. H. Hirst,	Mr. Whitaker,
Mr. W. J. Hurst,	Mr. Whyte,
Mr. Hursthouse,	Major Willis,
Captain Kenny,	Mr. Reader Wood,
Mr. Landon,	Mr. Wright.
Mr. Mason,	Tellers.
Mr. Masters,	Mr. Pitt,
Mr. McDonald,	Mr. Seymour.

The amendment was consequently negatived.

Question put, "That the proposed new clause be added to the Bill;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	45
Noes	...	...	...	...	11

Majority for	...	...	...	...	34
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AYES.

Mr. Allwright,	Mr. Murray,
Mr. Andrews,	Mr. Oliver,
Major Atkinson,	Mr. O'Rorke,
Mr. Bain,	Mr. Pitt,
Mr. Ballance,	Mr. Rolleston,
Mr. Barron,	Mr. Saunders,
Mr. Bowen,	Mr. Seddon,
Mr. Bunny,	Mr. Shanks,
Captain Colbeck,	Mr. Shephard,
Mr. Dick,	Mr. Stevens,
Mr. Finn,	Mr. Studholme,
Mr. J. B. Fisher,	Mr. Sutton,
Mr. Fulton,	Mr. Swanson,
Mr. George,	Mr. Tomoana,
Mr. Hall,	Colonel Trimble,
Mr. H. Hirst,	Mr. Turnbull,
Mr. Hursthouse,	Mr. Wakefield,
Captain Kenny,	Mr. Whitaker,
Mr. Mason,	Mr. Whyte,
Mr. Masters,	Major Willis.
Mr. McDonald,	Tellers.
Mr. McLean,	Mr. Gisborne,
Mr. Montgomery,	Mr. Seymour.

NOES.

Mr. De Lautour,	Mr. Tainui,
Sir G. Grey,	Mr. Thomson,
Major Harris,	Mr. Tole.
Mr. Hislop,	Tellers.
Mr. Landon,	Mr. Ireland,
Mr. Stewart,	Mr. Shrimski.

The amendment was consequently agreed to, and the clause added to the Bill.

The Bill was reported, with amendments.

WANGANUI ENDOWED SCHOOL BILL.

On the motion for going into Committee on this Bill,

Mr. ROLLESTON would like to ask the honorable member in charge of the Bill whether he did not think it would be right that the evidence which was taken before the Committee should be printed and placed in the hands of honorable members before the Bill went into Committee. The Bill was much altered from the form in which it was originally submitted to the House. It was well known that he (Mr. Rolleston) had taken considerable interest in this matter. He regretted that he was not able to be present throughout the deliberations of the Committee; but he had had the advantage of reading the report of the proceedings and the minutes of evidence. Other honorable members generally had not had that advantage. The Bill was no doubt conceived in the spirit of doing a very great good; but, for his own part, he did not think that the proposal of the Bill originally, or even as it was amended, was calculated to bring about that good in a proper way. He thought, first of all, that they ought to be exceedingly careful how they interfered with trusts. Looking at the thing broadly, what could they hope in the future from the devotion of property to trusts of this kind if they were to be subject to be set aside by the House on no well-defined principle? There was no doubt that this trust, as he said before when the Bill was under discussion, required revision; that, in common with a number of other trusts held by different religious bodies in this country, it was not at present in a satisfactory position; and that it was the duty of the House to make provision for putting those trusts in a proper position, for defining them properly, and enabling them to be utilized for the purposes for which they were originally intended. This Bill proposed to reconstitute the Board for the purpose of carrying out the trust; whereas the whole of the evidence, as he read it, went to show, or attempted to show, that the trust had not been, and could not be, carried out under the circumstances of the case, and that, therefore, the nearest approximation to giving effect to the original intention was that which it was the business of the trust to provide for. And after reading the evidence he must express his opinion that the utmost had been done by the trustees to fulfil the trust. Whether they had been successful or not was a question of degree; but certainly the intention had been to carry out the objects of the trust; and, if that had not been thoroughly accomplished, it had been because the trustees had been interfered with by circumstances over which they had no control. If the House adopted the proposals contained in this Bill, they would be introducing a very dangerous precedent. The original proposal was to appoint trustees under this Act, who should be nominated by the Governor. The Select Committee had modified that to the effect that five of the trustees should be elected by the Synod of the Church of England and four by the Education Board. Now, the question that came prominently before the Committee was this: What was the original inten-

tion with regard to this trust? Was it intended that it should be in the hands of the Church of England? He thought the whole of the evidence, and especially that of the honorable member for the Thames (Sir G. Grey), went unmistakably to show that it was intended that this trust should be administered by the Church of England, and on that account it was vested in the Bishop of New Zealand and his successors. He was not going to enter now into the broad question of these religious trusts in connection with school work. He had only to address himself to the point of whether it was advisable to break through trusts under any circumstances until those trusts had been shown to be utterly mismanaged, and to be incapable of carrying out the original design. As he understood it, the original design of the honorable member for the Thames in granting these trusts to the different religious bodies was this: Before there was a national system of primary education such as that which now existed, he did not hold that it was advisable that all these trusts should be in one particular groove, and he intrusted the properties to religious bodies. He was promoting a diversified system which would work in the same general direction for the culture and education of the people. That was the original trust. The question was, how far that trust had failed of its purpose, and, if it had failed, how a remedy was to be applied. He thought the evidence of the honorable member for the Thames went distinctly to prove that, if they were to have a change of trust, they ought not to proceed except on some general principle applicable to all similar trusts created at the same time; and for his own part he was of opinion that there ought to be some principle adopted which would define these trusts, and so far modify them as to meet the changed circumstances of the country, and make them carry out, as nearly as possible, the original intention. It was impossible, he believed, under existing circumstances to attempt to establish the industrial system that was originally intended. There was little hope, so far as they could see at present, that children of the different races in the Pacific Islands would be educated in these schools. Therefore he thought that a Bill which only dealt partially with this subject, which did not profess so to modify the trust as to make it applicable to existing times, and only proposed to alter the constitution of the trust, was not a measure that should be supported as an isolated Bill. What they wanted was a Bill to enable them more properly to deal with the terms of these trusts, to give power to modify them in an inexpensive manner, and to bring the trusts into harmony with the circumstances of the present day. He did not think the Bill as now proposed would do that, and he would ask the honorable member for Wanganui, in the interests of a very large question, not to force this on at the present time. For his own part he was quite sure that the question would not remain long in abeyance. It had to be dealt with, but much more comprehensively and upon much broader principles than was proposed by this Bill. They had got the whole question of secondary education now under

consideration. Let them deal with that question, not by taking isolated cases, but upon some general principle. He did not like this Bill, and he hoped the honorable member would not force it on. He thought it was wrong in principle, and it proposed to establish a precedent which would affect the country from one end to the other, and affect it, as he thought, injuriously.

Mr. TURNBULL said this estate of 250 acres would in the course of a few years be worth a very large sum of money. It appeared to him that the trust had been departed from in many important respects. As he understood, it was made for the benefit of the children of indigent parents, orphans, and destitute children. Now, considering the limited provision which existed in the colony for this object, it was, in his opinion, a great mistake to alter the trust in the slightest degree from its original purpose and devote it to higher education. Large sums of money were expended in the maintenance of an industrial school and orphanage at Canterbury, to which also children from Napier and other parts of the North Island were sent; and, if it were possible to improve this Wanganui trust so that it might be used for the benefit of the poor, it would be far better to do so than to allow it to be devoted towards the maintenance of the present school. It should become what it was intended to be—an institution for the education of poor and destitute children. There being no institution of that kind on the North Island, this would be a favourable opportunity for establishing one.

Mr. BRYCE hoped this Bill would become law, and that the House would not consent to postpone it any further. The argument of his honorable colleague was a very old one: "The time is inopportune. If you wait a bit something will be done. The question can remain in abeyance." They had got accustomed to that argument, with regard both to this and to many other measures. This was an old question in the House. It had been before the House, and before Select Committees of the House, many a time. When it was first brought before the House the question was shelved for a time. It was referred to a Select Committee, which reported in favour of altering the conditions of the trust—that was to say, so far as the management of the trust was concerned. Notwithstanding that report the matter was shelved by the House. They knew very well that where vested interests of this kind were concerned there was the greatest difficulty in getting an alteration made or any improvement effected for the better; and, when every other argument failed, it was said, "Oh! the time is inopportune. Wait a bit." He hoped the House would wait no longer. When the Bill was brought in this session, and it was seen that there was a disposition on the part of the House to carry it through, what was the course adopted, and particularly by his honorable colleague the Minister of Lands? He said, "Wait a bit. Send it to a Select Committee. Let a Select Committee examine it." That course having been adopted, and the Bill having been referred to a Committee, the honorable gentleman was morally bound by its decision,

Mr. Rolleston

especially as he was a member of the Committee. It had given its verdict; but the honorable member now said that the time was inopportune, and did his best to upset the decision. His opinion was, that the position taken up by the honorable gentleman was altogether untenable; for he was firmly convinced that the Bill would effect a very great improvement in the management of the trust. His honorable colleague could not suppose from the evidence that the trust had been well managed. All the evidence led to the opposite conclusion. The great grievance was, that the trustees were absentees—none of them lived near the spot; and the Bill proposed to make a great improvement in that respect. It laid down provisions under which the trustees would be elected from amongst the inhabitants of the locality; and it gave the Church of England, whose battle was now being fought in the House, a power quite equal to what it deserved, and, in his opinion, a great deal more than it deserved. Considering its past management of the trust, the Church of England had no right to be considered in the matter at all. Under the Bill it had been treated in a most liberal manner, and he was astonished that his honorable colleague did not accept the Bill in the shape in which it was passed by the Committee. He hoped the House would go on with the Bill, and pass it by such an overwhelming majority that there would be little doubt of its becoming law.

Colonel TRIMBLE said that if this were a merely local Bill he should leave it to be dealt with wholly by the gentlemen immediately interested in it; but it seemed to him that there was a principle involved in it which applied to all similar trusts throughout the colony. His objection to it was, that it gave to a religious body far too much power. He thought it would be better to eliminate the theological element from it altogether; but he supposed its promoters had accepted the best terms they could get. He trusted the principle which was substantially affirmed in the Bill would be applied to all similar trusts throughout the colony.

Sir G. GREY could not agree with the proposals contained in this Bill, and was sorry to differ from the views expressed by the Native Minister. The honorable gentleman's reasoning rather pointed in an opposite direction to that which he wished members of the House to take. The fact of the matter was, that this was only one of a large number of trusts which were made about the same time. It was thought desirable at a very early period in the history of the colony to provide charitable institutions at which orphans and children of destitute parents might receive a fitting education. At that time there was no great system of national education in the colony, nor were there funds by which such a system could be established. In these circumstances it was thought advisable, as the education of young children was the object finally aimed at, to place considerable endowments in the hands of the various religious bodies which were actively engaged in Christian work in this colony. The principal religious bodies so engaged were the Church of England, the Roman

Catholic Church, and the Wesleyan body, who all had extensive missions here. There were large numbers of clergymen resident in this country, who had to perform a very great work. They not only had very large Native congregations, but they had a great number of Christian adherents from the islands in the Pacific Ocean. Considerable numbers of children were brought from the islands in those days to receive their education in New Zealand, and under those circumstances grants were made to those bodies on the express condition that religious instruction should be given; and not only that, but they were to give them such industrial training as would fit them to learn trades when they went out into the world. The bodies to which these grants were made had performed very great services in this country. They had spent very large sums of money in New Zealand; they had sent a very large number of clergymen out; they had supported their institutions entirely at the cost of persons living in Europe; and the sums furnished were so large that, if a return showing the amount were laid before the House, members would be surprised. These sums were furnished by persons in various parts of Europe—not in England alone; and he was certain that, if members of that House could have witnessed what was accomplished in those days, they would agree that very great credit was due to those gentlemen, who, laying aside all the charms of civilized life, the comforts to which they were accustomed in the Old World, came out here and exposed themselves to the dangers and privations to be encountered in the early days of this colony, and ministered to the population in every part of New Zealand. He was not prepared to say that those trusts were the best for the country in its present state. He agreed with the honorable member for Timaru that, before abolishing great charitable trusts which were made for the future orphans of this country, before sweeping away the means of educating the destitute children of the future, and of raising them to a degree of knowledge which would enable them to fulfil their duties in this world, they should consider well what they were doing. The whole subject was so large that it should receive the full and careful consideration of Parliament. Consideration should be given to the question as a whole. It should be viewed in reference to the system of education now established in the colony, and should be made co-ordinate with it, so that it would work in with it. Above all things, these trusts should not be dealt with piecemeal. If they were dealt with in that manner, each locality in which these trusts were situated would come down to the House and, by such a Bill as this, get institutions established for the benefit of the inhabitants of the particular locality, and not in the interests of New Zealand as a whole. As to this particular trust, it might be thought that it was a very considerable endowment for the charitable purposes of Wanganui; but he believed the Town of Wanganui would become one of the most important places in New Zealand. The situation of Wanganui would turn out greatly to its advantage. It was

situated at the mouth of a very large river, which could be made navigable for large vessels, and was bounded north and south by country of extraordinary fertility. The river led up into a rich volcanic country, with snow-covered mountains. The Wanganui District was as rich as any one of those islands in the Atlantic which were called the Fortunate Islands. It exactly resembled them in its mountains, its soil, its climate, and in every favourable circumstance which they possessed, and, in addition, it had this great river running down to the sea, which he had no doubt would hereafter become a harbour of very considerable importance. It surpassed almost every other part of the country he knew of in raising products of a great variety of kinds; and those who knew the Waimate, the Rangitikei, and the Manawatu Districts, and the whole country from which the Wanganui River springs, would admit that it was capable of raising almost every product which was considered valuable to mankind. Wanganui must become a populous place, and the number of children there who would require care in their infancy through the loss of their parents would probably be very large indeed. He did not believe this endowment would be at all too large for the charitable purposes named in the Bill. He would turn next to the allegation that the trust had been abused. The accounts of that, he thought, were exaggerated, and, under any circumstances, that House was not a proper tribunal to fix the penalty for an offence of that kind. The rule followed by all civilized nations should be followed by them—namely, that if such an accusation was apparently established the Courts of the country should be appealed to. The Courts should decide whether the trust had been carried out as far as possible in the manner in which the original grantor intended. Then, if a variation of the trust was to take place, the Courts of the country should decide what that variation should be. They were above all influences. He felt perfectly certain that, if these great trusts were to be dealt with piecemeal in the manner he had spoken of, they would more or less be dealt with in a party spirit: that was to say, gentlemen who expected to be returned by the constituencies would be required to give pledges on the subject; they would be required to take the view of their constituents, and would be obliged to make certain concessions: so that the matter would not be dealt with in the fair and impartial spirit which was requisite under the circumstances. Then he would again point out that there were a great number of trusts of this kind held by the different religious bodies throughout the colony; and, if they took away one, must they not take them all away? He felt certain that some excuse would be found for taking away by degrees all the other properties which were held in trust. He had no doubt that it could be shown in every case that some breach or other had taken place. Did not James II. discover that in some form every one of the great bodies at Oxford had violated their trusts? It was then proposed to deal with them in a similar manner—not, certainly, through the Legisla-

ture, but the Crown itself proposed to act. Still, the Legislature of this colony had no more right to act in a case of this kind than the Crown. If the Legislature intended to act, let it not be on the report of a Commission, but on evidence taken in the Courts of the country, and after learned Judges had given a decision upon that evidence. Then, if the necessity for legislative interference arose, let it take place. That was the course which he thought should be followed in the case of single trusts complained of. If, on the other hand, the Legislature thought—and of course the Legislature could form the best opinion upon the subject—that, however advisable the trusts may have been at the time they were established, still, owing to a great national system of education having been initiated, the question of educational trusts should be reconsidered, let it be considered as one general question. In that way great good might be done, and enormous properties might be made co-ordinate with and to fall in with the national system. But it would be very different if these trusts were broken up piecemeal, giving each to a local body, as was proposed in this Bill. For that was what the Bill meant: because the trustees appointed under it must be a certain number of persons coming from Wanganui; and the choice would be very limited. If that were once done the Legislature would find it very difficult ever to get the property back again, considering the interests that would be created throughout the country, with which it would be very difficult to contend. The Legislature had power to deal with these trusts as a whole, and he would ask the House not to give up that power. He would also ask it not to punish a religious body—for that was the way in which the Native Minister put it—by taking away from it that which was given to it many years ago in consideration of the good work it was doing. The Legislature should act fairly and justly in the matter. Let it go before the Courts, and let the Courts decide whether the trust had been so violated that it should be taken away from the trustees. That was the fairest way; or else to deal with the matter as a whole, if the Legislature intended to deal with it at all. It should not be dealt with in a piecemeal form, because that would be bad on political grounds, and, what was worse, on grounds of justice. It would be striking a blow at every body that held a trust like this. They would know that certainly some excuse would be found for taking away their property from them, as it was now proposed to take this property from a Bishop of the Church of England. They would feel no certainty of the property being left in their hands, and therefore their efforts would relax. It would be better to place the whole matter under one system than pursue a pernicious plan such as the Legislature was now asked to enter upon.

Mr. HUTCHISON had listened with very great care to the speech of the honorable member for the Thames; but he did not think any argument had been advanced in it showing that the House should not proceed with this Bill, and make it law as speedily as possible. He had

Sir G. Grey

learned for the first time conclusively that this trust was given to the Bishop of New Zealand for the Church of England. Having taken a great interest in this trust for a considerable time, he had always been under the impression that the trust was given to the Bishop of New Zealand rather because he was the one man in the colony to whom such a trust could be given, than that it should be held by him for the use of the Church of England. However, no person could give so correct an opinion upon that point as the original grantor himself; and therefore nothing more remained to be said in that respect. But he could not think that the teaching was to be confined to children of the Church of England exclusively; and therefore he took it that, so far, the trust had failed very greatly, because the whole teaching and the whole conduct of this school from the beginning had been exclusively of a denominational character. He could understand now why the Minister of Lands felt so strongly on the subject, because that honorable gentleman was exclusively a denominationalist, and so wished to continue that system.

Mr. ROLLESTON did not wish anything of the kind, and had always voted in the opposite direction.

Mr. HUTCHISON was therefore not correct in his supposition; but, from the strong protest the honorable gentleman made on the part of the Church of England, he had thought differently. It certainly was not intended that this trust should be used for the children of the richer people of the district; and yet his experience of this institution was, that it had been solely a high school for a long time. It was intended for the children of the poor, and that they should get not only religious teaching, but also industrial training. Now, he had been watching the school for many years, and he had never seen any industrial training given in it. There was also to be instruction in English, and, if his ideas served him right, that instruction was meant for children of the Native race, and he thought Sir George Grey must have had them very largely in his mind when he made this grant; but, certainly, the Native race had had no benefit from the school in any shape or form. The House was therefore brought back to this point: that the Select Committee had made a very fair compromise between the Church of England and the general public in the matter, and had given the Church of England a fair majority on the Board. Looking at the manner in which the trust had hitherto been managed, and at the whole circumstances of the case, he thought this Bill was an exceedingly fair compromise between the parties. With regard to the argument that the Legislature should deal with the whole subject of these trusts at once, they had heard something on the previous evening about dealing with questions on broad principles, and now it was on "comprehensive principles." For his part he thought it would be better to carry out any reform they could just now, and then do something more afterwards. If this was a step in the right direction, let them take it, and then afterwards deal with other similar matters one by one. He

was satisfied, if the Legislature took them all up comprehensively, nothing would be done, and therefore he hoped the House would deal with this case, and perhaps it might be an example for other trusts. He was convinced this trust required to be very carefully looked into. He made these remarks because he had taken a great interest in the trust for many years, and he was convinced it had not been properly carried out. Even if it had been an exclusively Church of England grant, it was badly managed. It was badly managed financially, and it was badly managed for the sake of the town in which it was situated. It had actually stopped the progress of the town. The grant was near the centre of the town, and the trustees, not living near the place, took no active interest in it, and really restricted the progress of the town. They would not even open up streets to get at their own property. Looking at the subject from all aspects, he hoped the Bill would soon become law.

Mr. MACANDREW, as a member of the Committee who attended all its meetings, who took some little interest in the matter, and who endeavoured to look at it dispassionately, might say that he had come to the conclusion that this Bill was a fair and proper compromise. He had at one time held the views expressed by the honorable member for the Thames (Sir G. Grey), but, looking at the matter in all its bearings, he did not see the evils in the measure which the honorable gentleman anticipated. The grant said that the trust was made for children of all races, and was not confined to children of the Church of England. The Bill did not abolish the trust nor did it disturb its terms. They would remain just as they were before. All the Bill did was to localize the administration and utilize the endowment. When honorable members reflected that here was a property which yielded £700 a year, and was likely to yield £3,000 or £4,000, and yet for years past it had only been educating twenty-five children, each of whom had to pay school fees to the extent of £7 or £8 a year, they must see that it was time something was done to turn the trust to more practical account. He hoped the House would pass the Bill as it now stood. He could not see anything in the shape of confiscation in it, and he believed that it would really give effect to the original objects and intentions of the trust.

Mr. BOWEN was sorry the honorable member for the Thames had not attended the meetings of the Committee, as the honorable gentleman held some views which he confessed he would have liked to hear vindicated at those meetings. Of course there had been a great deal of discussion and differences of opinion in the Committee as to the Bill, and the result had been an unsatisfactory report. He would like to say a few words with regard to what had been said by one or two honorable gentlemen in relation to the trust. The honorable member for Wellington City said that only children of the Church of England had been educated at the school; but the evidence went to show that that was not the case.

Mr. HUTCHISON explained that what he meant was, that the whole training and teaching

of the school was in accordance with Church of England tenets.

Mr. BOWEN said that, as he understood it, the trustees had been careful to provide that the teaching should be such as not to offend the parents of children of other denominations. Practically, children had been educated in the school of other denominations besides the Church of England—in fact, all the children of the inhabitants of Wanganui who wished to attend. There was no doubt that in some respects the trust might have been better managed; but it must be remembered that the trustees had had to struggle with all the difficult times of the colony, and it was only now that this property was beginning to prove to be of very great value. As in many other cases, in regard to secular as well as religious trusts, it had been found in the early days of the colony that it was an exceedingly difficult thing to utilize the resources placed at the disposal of the trustees to the best advantage. For instance, he noticed in the evidence that the management of a hospital trust in the same district had also been impugned, and it had been alleged that the financial management of this trust had been quite as unsatisfactory as that of the school trust. But with regard to the future, it must be remembered that it was a very serious thing indeed to meddle with a trust at all, or to take away the property of a trust, unless it was shown that it had been greatly abused. Now, he did not think that any one would say, on reading the evidence, that it had been shown that this trust had been greatly abused. The Committee came to the conclusion—he might say, unanimously—that the trust had been necessarily departed from, because an absolutely literal execution of its conditions was impossible. Totally different circumstances had arisen since the trust was created, and the honorable gentleman who was chiefly responsible for the trust had stated that circumstances had so completely altered that the original conditions laid down could not possibly have been fulfilled. Under these circumstances, he thought it was the duty of the country to deal very tenderly with any departure from the purposes of the trust, if it was seen that it had been administered with a *bona fide* desire to fulfil its conditions as nearly as possible. He certainly thought that a better mode of management could be adopted in the conduct of the business of the school, and, in considering what this should be, they should look a little further than this particular institution. There were several of these trusts, belonging to different denominations—trusts belonging to the Roman Catholics, to the Wesleyans, and to other denominations, besides the Church of England. Now, they had to look forward in the future to schools which would be some link between the primary education provided by the country and the University teaching which they hoped to see carried on here. He thought they all—at least, many of them—held that it would be a very bad thing for the country if the whole training of the youth of the colony were drawn into one groove—if they had a system of teaching like the *lycée* system in France, which tended

to cast the children of the State all in one mould. Herbert Spencer, who was a very decided Liberal in his views on most social questions, was quite right when he said that it was a necessary evil that the State should have to interfere at all in the matter of education. They all agreed that the State had to interfere, so far as primary education is concerned, because they could not allow children to grow up in total ignorance through the apathy or poverty of their parents. Therefore the State was obliged to interfere in primary education; and, as the State felt it could not interfere with religious instruction, they had made a necessary departure from the denominational system which formerly prevailed in the country. But where trusts actually existed, and religious bodies were in possession of these trusts, surely it would be fairer and wiser to utilize these trusts, and to see that they were utilized by the various denominations. Where children had to be taken from their homes in many cases, or perhaps where they had no homes at all—in cases of that kind surely it would be better that the children should be educated in schools such as these, where the denominations which had charge of them would give the children religious teaching, than that the children should go without any religious education at all. He thought it would be better that the children should be so educated than to interfere with these trusts, when they did not exactly know what to do with the properties after they had taken them away. It was a very simple thing to give children the elementary key of knowledge when they were living at home, and only attended day schools for instruction in secular subjects; but it was quite another thing to take charge of children altogether, and teach them the rudiments of education only, without attempting to give them religious instruction. He thought it would be found that these trusts would be very useful to the different denominations to which they belonged. There were various ways in which they might be dealt with. This matter had been fought out in Committee; and he certainly could not say that the Bill was in the shape in which, if he had had his own way, he should like it to be. He did not think that there was a case made out for interfering with the management of the body to which this trust was given originally; and he thought it was a threat held out to different other trusts in the country, and one which would create considerable uneasiness. He did not think, either, that, considering the circumstances of the case, there was any such pressing necessity for pushing on this matter. He would rather see the whole matter fully considered. He did not mean that the trusts should be all dealt with alike; but he thought that some trusts which were plainly of a similar character should be considered at the same time, because there were serious complaints about the management of other trusts, which should certainly be inquired into. He did not think that in this instance there was a case made out. The provision which had been made for the governing body of this school in this compromise, he was afraid, would not be satisfactory to anybody concerned. He did not

Mr. Bowen

think that any one would be satisfied with it who was interested in the school, one way or the other. He confessed that he would rather see the question postponed, and time given for a fair inquiry into the circumstances of this and other trusts which were similarly affected.

Mr. HISLOP did not wish to delay the House for any length of time in this matter, but, as a member of the Committee, he could not help expressing an opinion at variance with the last speaker and the honorable member for the Thames, much as he disliked to disagree with the member for the Thames on any subject. It seemed to him that the question before the House was this: whether the House, or Parliament, should reserve to themselves the right of dealing with public reserves from time to time as circumstances required it. He had always supposed that was a principle on which all Liberals were agreed—that no institutions should grow up which should not be from time to time moulded according as the circumstances of the country required. Among the evidence of the honorable member for the Thames, they found the distinct statement that this trust was created for a purpose which no longer existed—that this should form an institution for the education of children who were brought here by missionaries at that time, and also for the purpose of teaching the Maoris and giving them an industrial training. They had it in evidence, on the part of the Bishop and those who gave testimony on his behalf, that these purposes could not any longer be carried out, and they had also distinct evidence that no attempt had been made to carry them out for the last twenty-five years. There had been no feeling on the part of the Bishop, or any persons, to have the trust strictly carried out, or the doctrine of *cy-près* applied—the doctrine by which the trustees would be bound to carry out the trust as nearly as possible; but if they considered the trust, and what, according to the evidence of the Bishop, could be carried out, they would find that the only matter now left in the trust was the teaching of the English language. It was distinctly stated that industrial and religious training could not be carried out. Under these circumstances, were they to allow a reserve of this kind, which was not given by any private persons, but was granted out of the lands of the colony, belonging to every person in the colony, for a specific purpose—were they to allow that land to be utilized by the trustees themselves, and without public authority, for purposes altogether different from the original purpose for which it was granted? If they affirmed that the trustees were not to be allowed to utilize it for such purposes as they desired, who was to regulate the purposes for which this land was to be used? Was it to be the Supreme Court? It was suggested before the Committee that it was the Supreme Court which ought to regulate the trust. That was a new doctrine to him. He had never heard that at Home an application had been made to the Supreme Court to create new trusts; whereas, on the other hand, there were precedents at Home wherein trusts had been altered by the Legislature. The Legislature

had interfered with the University of Oxford, and with the trusts of other institutions, which had been raised not only out of public moneys, but had also been created by private individuals. But here the argument was much stronger, because this trust was created not by any private individual, but out of the public funds of the colony. It had been attempted to be shown that there had been no departure from the original trust, and that it would be perfectly safe to leave the trust under the present management. They had the evidence given by the Bishop. A question was asked him before the Royal Commission to this effect:—

“As a matter of fact, the school was attended by children of all denominations?—Yes; but possibly we should feel inclined to restrict it, and make it more of a Church school, if the community were well supplied with the High School and other schools.”

And that answer was repeated before the Committee appointed by the House. Well, it could be seen what was the tendency on the part of the present trustees. He might say that two of the trustees seemed to be ignorant of what was going on, and of their duties under the trust, but it was stated by the Bishop that his desire was in time to make it a Church of England school, and to limit it to Church of England scholars. That was the tendency on the part of the trustees, and he did not think it was a tendency that would meet with the approval of the House. It was stated that the trust was created, not for the benefit of any particular sect, but of all denominations; and, seeing that they had adopted a purely secular system with regard to common education, he did not think they were likely to fall back on denominational education for other institutions. Reference had been made to other trusts of a similar nature, and it was said that it would not be fair to interfere with this trust unless they interfered with others. He denied that altogether. It was quite soon enough for the House to interfere with other trusts when the public affected by those trusts asked for interference. They had it in evidence that, out of a population of five thousand people in the town, and a large population around it, only thirty scholars attended the school, and that great dissatisfaction existed in regard to the school management and the management of the trust. Application having been made to the House through both members for Wanganui, through the Mayor, and other persons, it was the duty of the House to look into the trust and see if it was properly managed, or if it could be better managed under another system. In Otago they had an example of a religious body voluntarily giving up the management of education in schools; and he could see no reason why this particular denomination or any other should seek to continue to hold in their hands the education of children. It was not pretended—at all events before the Committee—that, originally, it was intended to limit the education to any particular denomination; therefore it was only the matter of management that they had to look to. The only objection he had to the Bill was, that it retained

in the hands of the Church any management whatever. He thought the management should be purely local, and the same as in connection with other schools in different parts of the colony.

Mr. HURSTHOUSE agreed with much that had been said by the last speaker and the honorable member for the Thames, although it was the first time he had heard that those reserves were made for strictly religious purposes. He had understood they were reserves made for the benefit of poor and destitute children of Her Majesty's subjects in the South Pacific Ocean, and he thought the words of the Crown grant would bear him out. He was perfectly willing to admit that nearly the whole of these trusts had been more or less mismanaged. He knew of a trust, in which he was, he might say, personally interested, made in the same terms as this one, in the district he represented. It was not what it should be, and it had caused more or less dissatisfaction among the residents there. The Te Aute Estate had also created a considerable amount of dissatisfaction in that part of the country. It did not appear to him that the fault always rested with the trustees in these cases. The great difficulty had been to find suitable children to attend those schools, owing to the very liberal and good system of public education which existed; and, consequently, up to the present time those trusts had not been required. It appeared singular that the House should step in and deal with this particular case. He was aware that other trusts of a similar nature had been a great deal more abused than those controlled by the Church of England. Trusts belonging to the Wesleyan body had been sold, and the money appropriated to the benefit of that denomination. They had been wiser in their day than the Church of England; and, if the Church of England had been—he would not say as dishonest, but—as keenly alive to its own interest, it would have made use of the money instead of having before it now the disagreeable fact that the endowment was going to be taken out of its control. He did not wish to offer any great opposition to the Bill, but he thought the honorable member in charge of it should accept the recommendation of the Minister of Lands, and delay its consideration until a future day—until the Government introduced some comprehensive measure dealing with the whole of those reserves. The Bill would make matters rather worse than at present. The reserve in question would be for the benefit, not of the poor, but of the rich. They were now going to take the reserve from one set of gentlemen who admittedly mismanaged it, and to place it under the control of other gentlemen. For what purpose? Not for the poor and destitute children, but for a secondary or high school. The Bill said that one-third of the children should go free. Who was to decide what children should go free? In the use of this patronage he had little doubt that a great deal of favour would be shown, and those who were really in a position to pay for the education of their children would have them educated free, while, as was usually the case, the children of destitute people would go uneducated. He had very little sympathy with secondary or high

schools which were endowed in this manner. If the Bill proposed to apply this reserve to primary education, it would much more readily receive his support. Taking it from the purpose for which it was originally granted—primary education—and making it a reserve for secondary education, was a step in the wrong direction. The object of the trust was the education of children in the English language and in industrial pursuits. In all cases where that had been tried it had failed. In the case of the Motueka School, Whakarewa Estate, industrial training was tried with the Native children, but it failed. It also failed at the Te Aute School, Napier. He did not admit that it failed on account of the inability of the trustees to fulfil their duties, but it failed from the great difficulty of obtaining children—Native children especially—of localizing them, and of getting them to co-operate with their teachers in learning industrial pursuits.

Mr. ANDREWS said this Bill opened up a principle which he could not allow to go without expressing his opinion on. He thought that all Boards, guardians, trustees, or other bodies holding lands from the Crown, should be obliged to make annual returns to the House. If that had been the case heretofore, there would have been a good account of the land in this particular case. He was therefore exceedingly pleased with the provision made in clause 27 of this Bill for having the accounts audited annually and forwarded to the Governor. He hoped the Government would see their way to take the whole question of reserves in hand. The House must deal with the question. A large number of trusts and Boards, under different names, were constituted all over the colony, and it was nothing but right that they should make returns, at least annually, relative to the lands placed in their hands. The trusts would then be better looked after, and their true intent and meaning would be carried out, if not in their entirety, at least nearly so. Section 30 of this Bill provided that the school should only be for children domiciled in the colony, which was a violation of the terms of the original trust. He was prepared to stand by the original terms of the trust, which were sufficient to answer all purposes if properly carried out. Then, with regard to the provision that one-third of the scholars should be admitted free, there was something in its meaning to which he decidedly objected. There was nothing in the original which said that education should be free, or that there should be a specific charge. This provision simply meant that two-thirds of the scholars must pay. He did not think there was any necessity for a provision of that kind. The Board of Management would be able to regulate matters of that kind, and, if they had to report to the House, the latter could take cognizance of their actions, as he had said before. He knew of no more suitable place than this estate in the North Island for the establishment of an orphan asylum and industrial school. He knew that at present children were sent from the North Island to the Burnham School. If the Government could see their way to do so, this would be a very good opportunity of looking at the question fairly, and seeing whether some-

Mr. Hursthouse

thing could not be done towards applying this property to the very purpose for which it was granted—namely, the education of poor and destitute children of the islands. The place was admirably suited to the purpose he indicated, and the climate was one of the best in the colony. He hoped the House would not lend itself to anything which would tend to violate the original intention of the trust, and that until the Bill was altered in conformity with the original trust it would not be passed. If that were done, the House would do a good work, which would be beneficial to the whole of New Zealand.

Mr. SWANSON had a word or two to say in reply to the honorable gentleman who asked the House to delay this matter, and deal with the whole thing in a comprehensive way. This was a matter with which he had been mixed up, more or less, for over thirteen years. An inquiry had been held by the Provincial Council of Auckland; and, if that Council had had the power, it would have soon settled the question—it would have dealt with several of these reserves in a summary way. The result of the inquiry showed that these trusts had been very badly administered indeed. A Commission was appointed by Parliament, at the instance of members of the Provincial Council who had seats in this House. The inquiry extended over the colony, and a number of gentlemen in Auckland were examined before the Commissioners, and he was one of them. He mentioned this to show that this was no new thing, but that it was an old affair. It had come up over and over again, year after year, during the last eight or nine years. He sat on a Committee of inquiry on this very Wanganui case, and it was shelved in the same way as it was now proposed to shelve it. He expressed no opinion on the Bill, whether it was right or not; but there were a number of similar matters which would come up, and they could now deal with this one question when they could not deal with the many. He hoped this would act as a warning to other denominations to fulfil the conditions of these trusts, and that they would do so. As to the Churches getting these endowments, they could not expect that the Church of England would teach the Catholic children, the Presbyterian children, or the Wesleyan children. The very fact of giving these endowments to any one of these Churches appeared to imply that they would see to the instruction of the children of their own denomination, and teach the children their own faith; but what the State should require was that the children should receive a sound secular education at the same time. These Churches had the machinery for doing so, though in some cases they were supposed to have more than they actually possessed; but did they do it? Had they done it? It was no use telling him about the beauties of Wanganui, about the fine river, the snow-capped mountains, and the fertile valleys there. The question was, Had the children been educated? Had the trust been administered in the interests of the children of the place, or anywhere else? He contended that, unless the administration of these trusts had altered very much during the last eight or nine years, since he sat

upon the Committee of inquiry, they were bad enough: he could say that the trustees had utterly failed in carrying out the objects of the trusts. Possibly they were better administered now: he did not know whether they were or not. He trusted the House would deal with the first case proved to be bad. If honorable members searched the Blue Books of the Provincial Council of Auckland they would find particulars recorded in reference to some of the trusts in that part of the colony which he should be ashamed to mention. It was high time that the House commenced to deal with this subject. No matter how they blinked the fact, it still remained that these endowments were used for maintaining the Churches.—(No.)—Was it not a fact that Bills were passed in this House to enable endowments to be sold, and churches built with the proceeds? That could not be denied. He was now speaking as to the whole of these endowments. Some of the endowments in Auckland were used to maintain clergymen, who were living in them. That was not, however, the most objectionable feature in regard to the administration of these trusts. He hoped the House would affirm the principle of dealing with these lands. If the circumstances had so altered that the lands were not required for the purpose originally intended, let the House take the matter into its own hands, and apply the endowments for the purpose. He would not care which Church administered the trusts, if the children were educated. He would not care if the money was spent in educating the children of the different denominations; but that was not done. Indeed, in some cases no attempt was made to educate the children. He hoped the House would deal with the one case now before it.

Mr. SPEIGHT said the honorable gentleman who had just sat down had hit the right nail on the head when he stated that the objects of most of these trusts had not been carried out. He (Mr. Speight) considered that, in all cases when the trustees failed to carry out the terms of the trusts, there should be a re-entry of the trusts. In bringing down a Bill dealing with this one case, they took it for granted that the original object of the trust had not been carried out, and they took it for granted that circumstances had completely changed from the time when the trust was originally formed. Because the trust could not be carried out now as originally intended, it did not follow that the property was to be handed over for the advantage of a particular body. Seeing that they could not carry out the original trust, he apprehended that the proper course to pursue would be to re-enter upon the property and take charge of it. They should not deal exceptionally with one particular trust. The whole country was covered with such trusts, with regard to which it was impossible to carry out the original intention. Particularly was that the case with regard to educational matters. The proper course to pursue would be to appoint a Commission or Committee to inquire into the whole of the trusts existing throughout the country, to see how far the trusts were carried out and the terms of the trusts adhered to—to see how far it was possible for the terms to be adhered to, and in what

cases the property should be taken over by the State again. The honorable member for Motueka had stated distinctly that if the Church of England people had acted as other sections of the Christian Church had done they would long ago have realized on the property. He (Mr. Speight) thought the State ought to prevent such a thing being done. The ministers of Churches were as selfish as most people in business, and, if they could turn to good account the land or other property passed over to them in the shape of endowments for their Churches, assuredly they would do so. He felt that in this case, if the original intention of the donors of the land could not be carried out in any sense, then the State should re-enter upon the property and make a better use of it than at present. They should not allow the nature of the trust to be changed and the property become an endowment for a certain high school in the interest of a certain class. That was really what the proposal in this Bill meant. Why should not the property be utilized in the interest of the settlement of the Wanganui District itself? Why should not the State take into its own hands all those endowments which were not being carried out in their entirety, or not even partly carried out as originally intended? Why should not such grants be given as endowments for secular education, or any other good object throughout the colony? That could be done with advantage. The adoption of this Bill would be a manifest injustice: it would be an attempt to rob one section of the Christian Church which had received endowments. The Roman Catholic Church, the Wesleyan Church, and the Church of England had received endowments for similar objects. No undue advantage should be given to any particular Church if they had not carried out the terms of the trust. Under such circumstances they could not rob one section of the Christian Church of its endowments, while they left the others in possession of their endowments. They should re-enter upon the whole of these endowments, if not used for the purposes originally intended, and use them for the benefit of the country.

Mr. W. J. HURST concurred in the view expressed by the last speaker. He was satisfied that the House should lose no time in dealing with these trusts in a full and comprehensive way. Every one familiar with the proceedings of the Police Courts must be aware of the number of children that required to be dealt with. It was a difficult thing indeed to know how to deal with these poor children. It was quite beyond the means of private charity to deal with them. It was beyond all doubt that these trusts, as a rule, had not been properly dealt with. As had been pointed out by the honorable member for Newton, in some cases there had not been the slightest effort made to fulfil the objects of the trust. He quite agreed with the remarks made by the honorable member for the Thames, and the House would act wisely in following the advice given by that honorable gentleman. It should deal with this matter in a comprehensive manner, and not in the isolated way in which it was proposed to be dealt with in the Bill. The

House should see that the objects of these trusts were faithfully carried out; otherwise the course suggested by the honorable member for Auckland City East should be followed. There was another strong reason which he thought ought to weigh with this House, and cause it to pause before dealing piecemeal with this important matter. This House last session appointed a Royal Commission to inquire into and report upon various classes of education in the colony, and in reference to these various trusts. The Commission had not yet reported respecting these trusts, and he hoped the House would yet receive such valuable information as would guide it in dealing with this question. He thought they were indebted to the honorable member for Wanganui (Mr. Ballance) for having brought this subject before the House. There was no question which more deserved the immediate and careful attention of the House than the subject under consideration. He regretted that he was obliged to differ from the honorable member for Newton when he said that they should deal with this particular case. He (Mr. Hurst) thought that it would only weaken their position in dealing with the subject, if they merely dealt with this one isolated case. He thought that the House was competent to deal with the whole matter, and he trusted that next session the Government would come down with a comprehensive measure dealing with all these trusts, and setting them aside for the maintenance of the poor and orphan children of the colony—a course which was very urgently required to be adopted.

Mr. GIBBS said he had sat on more than one Committee appointed to inquire into the subject of these trusts in the Provincial District of Nelson, and also with respect to the trust now under consideration. He had been led by these inquiries to entertain rather strong feelings on the matter. From the discussions that had taken place, he had seriously considered whether, in case the objects of these trusts had not been properly carried out, they should altogether abolish them, and deprive the trustees of their property. Several honorable members had touched upon the question of the original object of the trust, and it had been said repeatedly that the objects of the trust could not be carried out. He disputed that altogether: there was no difficulty whatever in carrying it out. The trust was for the education and support of the poor and destitute. Now, there had been, for many years past, in the Province of Nelson, supported by the province at great expense, an orphan school of poor, destitute, and, in many cases, deserted children; and he had always thought that the revenues derived from a trust situated at Motueka of the same character as this one at Wanganui should have been applied to the support of that school. But this Bill did not remedy the objections he had always felt in regard to these trusts, because it localized the trust too much. These trusts were not local trusts at all. This was a trust for the poor and destitute children of the Pacific Islands, or the Colony of New Zealand—the House might limit them to that; but it was not a trust for the destitute children of Wanganui. Instead of

depriving the trustees of their property, let the House endeavour to oblige them to carry out in their integrity the objects for which the trust was first established. Holding these views, and under these circumstances, he must oppose the Bill.

Mr. FULTON trusted that the honorable member for Wanganui would accept the suggestion made by the Minister of Lands, and postpone the question until the House had before it the report of the Select Committee. He (Mr. Fulton) felt that a *prima facie* case had been made out against the Bill, and, not being acquainted with what had been done in the matter by the Committee, he must, if the question came to a division, vote against the Bill. If the matter were postponed, it was quite possible that he and others would see their way to support the Bill.

Mr. GISBORNE hoped the honorable member for Wanganui would not consent to the postponement of the Bill. The question put before the Committee and reported upon was whether the constitution of the school could not be so improved as to make it more effective for the purposes of the trust. It was not a Bill of confiscation or spoliation, but intended to broaden the basis of the trust, so as to make it more effective, and to provide for local management, which was the best guarantee of successful administration in these matters. It was one thing for a trust to be brought before the Supreme Court, and quite another for the Legislature to interfere so far as to render a trust more effective for the purpose for which it was intended. This was simply altering the constitution of the trust, and that was quite a different thing from taking lands away from a trust, or altering the objects of a trust. He quite agreed that originally this grant, which the honorable member for the Thames, in another capacity, made, was admirably suited to the circumstances of the day. But circumstances had occurred since, during the last fifteen years or more, which had rendered this trust and others of a similar kind practical failures. He did not say the trustees were altogether to blame for the occurrence of these circumstances: but that had been the effect. Looking at the original constitution of this trust, it was meant for the benefit of children of all races; but for the last twenty years it had, with rare exceptions, only been applied to the benefit of children of one race. Then, the school was to be open for the poor and destitute; but for the last twelve or fifteen years it had not been so open, because it had only been open for the children of the more wealthy classes. Then, industrial training was to be given; but no industrial training had ever been given. Religious education was to be given; but no religious education had been given. If the House looked at the manner in which the trust had been conducted for the last fifteen or twenty years, it would be found that it had absolutely failed for the purpose for which it was granted. The House was urged, "Oh yes, but let us wait until we have some comprehensive measure which will deal with the whole of these trusts." He thought they had waited long enough. A Royal Commission sat fifteen years ago, and de-

Mr. W. J. Hurst

plored the lamentable position into which these trusts had got. Things had got worse every year. The course of education, and the objects for which the trusts were created, had deteriorated and were in a worse position than they were fifteen years ago. Then, how long were they to wait for this comprehensive measure? For another fifteen years? They might as well wait for the Greek Kalends. That was the sort of "hope deferred which maketh the heart sick." Now that there was an opportunity of remedying this grievance, let the House seize the opportunity. The Bill would only alter the constitution: it only sought local management, and to subject the school to Government inspection. The House had previously sacrificed an opportunity to remedy this; let it not wait further for the comprehensive measure. Such a course would be unworthy of statesmen. The successful course of administration was to deal with a grievance when you had it before you, and apply a remedy at once. To suppose they could only remedy abuses by a future comprehensive measure was simply to shirk the duties devolving upon them as legislators. It would in effect be following the course of a man so imbued with the general principles of charity that he would refuse to relieve any individual case of distress which presented itself to him. He (Mr. Gisborne) hoped the honorable gentleman would press his Bill, and that it would be carried.

Mr. SHRIMSKI said that in the afternoon the House had had an Auckland free-fight, and the evening had been taken up with what he might describe as a Christian free-fight. He happened to be the only one in the House who represented that particular people who differed from all the denominations whose representatives took part in the Christian free-fight, and so far as the discussion was concerned he felt very much in the position of an outsider. But he was in the House as a representative of the people, and not as the representative of any particular sect, and therefore he regretted observations which had fallen from one or two gentlemen who professed to be Christians, but who did not to any extent practise what they preached.

Mr. PITT thought every one would agree that this Bill was an undoubted interference with the trusts of the Church set out in the Bill. He did not know whether he had misunderstood the honorable member for Waitaki (Mr. Hislop), when he said it was not by the grant intended to limit the teaching in the school to that of any particular denomination; but, if not, surely the reply of the honorable member for the Thames (Sir G. Grey), when he told the House that it was intended to so limit the teaching, and, moreover, that similar grants had been given to other religious bodies, was sufficient. He (Mr. Pitt) had listened with attention during the discussion expecting to hear that the trustees had mismanaged the trust, and he had also looked at the report with the same object in view; but he had failed to hear or see anything of that sort. If honorable members would refer to the minutes of the evidence, they would find that His Lordship the Bishop of Wellington admitted

that the trust, so far as industrial teaching was concerned, had been a failure—from no fault of the trustees, but because they could not get Maori children to attend the school. Then, assuming there had been some mismanagement, that would be no reason of itself for virtually repealing this Crown grant. If lands were granted to a private individual and he failed to utilize them to the fullest extent, that would be no reason for taking them from him. He thought it was rather peculiar that the honorable members who had taken the greatest interest in respect of bringing in and supporting this Bill were gentlemen who were more or less connected with the Town of Wanganui; and the arguments of the honorable member for Wellington City (Mr. Hutchison) let out the secret as to why this Bill was sought to be passed. It was not so much because the trustees had mismanaged the trust, nor because the school required to be better conducted, but because this endowment really interfered with the progress or extension of the Town of Wanganui. That seemed to be the chief reason, and he (Mr. Pitt) held that, if the House attempted to interfere with the trust, it should give the Church of England a similar endowment of equal value in some other part of the colony. In that case he did not suppose the Church of England would offer any objection to surrendering the land. But, even assuming that the trust was in an unsatisfactory condition, he contended that this Bill would not improve it in any way whatever. It was proposed, according to the 3rd clause, that there should be seven trustees, five of whom should be elected by the General Synod of the Church of England, and four by the Education Board of Wanganui. Now, what did the Bishop of Wellington say, in his evidence before the Committee? He gave the following evidence:—

"188. In the event of it being determined to establish a local Board at Wanganui, would you wish to have a voice in the matter?—I do not think I should take any part in such a Board.

"189. Do you think the Synod would deem it desirable?—No.

"190. That is, they would not have sufficient voice to satisfy them?—It is outside their legitimate work.

"191. They have a voice now, have they not?—Yes; but if the school took in all denominations they would not."

A mixed Board such as the one proposed would be very unsatisfactory in its operation. There was another peculiar feature about this Bill. While it very carefully vested the whole of the property belonging to the present trustees in the new Board, it made no provision whatever for a transfer of the liabilities. That, perhaps, was more a matter for consideration in Committee. The Bill was a most important one, but if it went into Committee a great deal of time would be occupied in discussing its provisions, and he did not think it would pass this session. The honorable member for Wanganui would therefore do well to accept the suggestion which had been made to withdraw the Bill. It would

perhaps be better that he (Mr. Pitt) should move that it be committed that day three months.

Mr. MONTGOMERY hoped the Bill would be committed. Three years ago, when this question was brought before the House, he voted against the proposal then made, because he had always been opposed to disturbing existing trusts. He voted for the second reading of this Bill on the distinct understanding that it would be thoroughly examined by a Committee. A Committee had investigated the matter, and taken such evidence as could be procured for and against the Bill, including that of the Bishop of Wellington and another trustee. It was found that this trust was for the education of children of Her Majesty's subjects of all races, and of the children of other poor and destitute persons being inhabitants of the islands in the Pacific Ocean. Now, what did they find? That there were only about twenty-five children attending the school; that the trust funds amounted to about £690 a year; that the children were charged from £6 to £7 per head per annum, and that the cost for educating these children was about £30 per head. He wished to speak on this subject without any feeling—with the sole desire to do what was right. The trustees had notice three years ago that their trust would be in danger if they did not do better. And yet what did they find? That the trustees, with the exception of the Bishop of Wellington, never visited the school; that the Bishop only went there two or three times a year; that there was no Inspector to inspect the progress of the school; and, generally, they found that this very large trust was not devoted to the purpose for which it was intended—that it did not give education to anything like the number of children it ought to afford education to: for he felt bound to say that the trust, if properly administered, should educate not twenty-five children, but over one hundred or one hundred and fifty. Under these circumstances, he thought it was absolutely necessary that the House should step in and pass a Bill which would enable the objects of the trust to be carried out more effectively than had been the case in the past. If this were the first time the Bill had been introduced, and if those administering the trust had not received a warning three years ago, then it might be sufficient now to caution them; but, seeing that they had received such a warning, and had not acted upon it, the House was bound to step in. He would vote for the committal of the Bill, and hoped there would be no factious opposition to it. He never offered factious opposition himself: if he was beaten by a fair majority, he always gave in. At all events, whether there was factious opposition or not, he hoped the Bill would be carried, although in an amended form, for it would be necessary to make material alterations in Committee. He wished to see the management of the school localized, and would still like to see it retained in the hands of the Church of England, as he thought that was the original intention of the trust. The Bill was a very fair compromise arrived at by the Committee, and he thought, with an amendment providing that the Board should meet at least once a month, as was the case with

Mr. Pitt

the Education Boards, and also with a provision doing away with any distinction between the scholars, it would be a very good measure. His idea was that it should be absolutely a free school as far as imparting elementary education was concerned, and that those who desired their children to receive higher education should pay fees.

Mr. DE LAUTOUR recognized the importance of this Bill; but, at the same time, he would suggest that it had now been very fairly discussed, and he hoped it might be allowed to go to a division soon, as, if the discussion were prolonged to a late hour, the question would not then be fairly decided. He would suggest to the honorable member for Nelson City that, from his point of view, it would be wiser to take the division upon the original question of Mr. Speaker leaving the chair, because some few members would vote with him that the Bill be not now gone on with in Committee who, perhaps, would not be inclined to vote against it as a whole.

Mr. PITT would accept the suggestion, and ask leave to withdraw his amendment.

Amendment, by leave, withdrawn.

Mr. BALLANCE said that, after the remarks which had been made on both sides of the question, there was very little left for him to say. He would like, however, to notice one or two of the objections made by the honorable member for Nelson City (Mr. Pitt). That honorable gentleman was under the impression that the people of the Town of Wanganui were desirous of obtaining, indirectly and surreptitiously, by means of this Bill, this valuable property for their own purposes.

Mr. PITT had not said anything of the kind, and did not think any words he had used would bear such an interpretation. What he said was, that it appeared, from the remarks of the honorable member for Wellington City (Mr. Hutchison), that this endowment interfered with the extension of the Town of Wanganui.

Mr. BALLANCE could assure that House that, so far as the Town of Wanganui was concerned, the only desire on the part of the people was to see the trust based on a proper foundation and properly managed. That was the whole object of the measure. With regard to the question of management and the power of fulfilling the conditions of the trust, he would like to point out to the House the position which was taken up before the Committee which sat on the Bill. The trustees themselves took up the stand that the conditions of the trust had not been fulfilled because it was impossible to carry them out; and he would place in opposition to that the desire of those who were promoting this Bill to adhere strictly to the letter of the trust, to bring the measure into conformity with the trust, and to try, by every effort, to have this institution in future managed in accordance with the spirit and the letter of the trust itself. He therefore acceded willingly to the suggestion of the honorable member for Christchurch City, that the words in clause 30—"being persons domiciled in the colony"—should be struck out in Committee; because no

doubt these words did confine and restrict a portion of the trust, and it was the desire of the promoters of the Bill to have it carried out to the fullest extent. The trustees appeared before the Committee by counsel, and the position taken up by counsel—a legal gentleman not a member of the House—was this: that the trust could not be fulfilled, and that it was the desire of the trustees to take the case into Chancery for the purpose of modifying and changing the condition of the trust. Now, he asked the House, if a valuable property of this kind once got into Chancery, in what position would it be when it came out? Was it desirable, when they could place this trust upon a satisfactory foundation, and give education in accordance with it, that this valuable estate should be frittered away in litigation? He had said that there was no desire whatever to depart from the letter of the trust; and he would point this out: that one of the reasons given for the non-fulfilment of the conditions of the trust was that industrial education could not be imparted. He appealed to the House whether the tendency of the present age was not in the direction of industrial training and technical education; and, if so, it ought to be the object of the trustees and the managers of this property and school to introduce a system of technical education in accordance with the spirit of the age. He had no desire whatever to take this trust out of the hands of the Church of England; but he held that it was not in the position of a private property, as the honorable member for Nelson City had stated. It was a public trust, given for a public object; and already by legislation the conditions of the trust had been changed, because, by "The Bishop of New Zealand Trusts Act, 1858," it was transferred from the Bishop of New Zealand, in whom it was originally vested, to another body altogether. The honorable member for the Thames himself stated in his evidence, "I can only say that the same Legislature that did one thing could do the other. I was only giving my own opinion. I believe ultimately these charitable institutions will be found of great benefit to the country if properly conducted." He also said, "It is quite clear that a plan which was suited to the circumstances of former times has broken down from the circumstances having entirely altered, and clearly the Legislature has a right to interfere in such a case." Many honorable members had said, "Wait for a general scheme." He would point out that that was a common argument used to defeat a measure; and there was really nothing in it. Why was the Committee appointed to take evidence? Because this matter itself was of sufficient importance to demand an investigation. That Committee sat, several meetings were held, all the evidence that was tendered by the trustees was taken, the utmost patience was shown, and the thing was probed and investigated to the very bottom: the result was, that the Committee agreed to recommend, without a single dissentient, that the Board should be constituted in accordance with the 3rd section of the Bill. When he said there was not a single dissentient, he meant that the result finally arrived at was

accepted by all parties as a compromise. Different views were expressed; but the constitution of the Board came out in the shape in which it was proposed in the Bill. And he wished the House to understand that they did not desire to adhere rigidly to that constitution. If, when the Bill got into Committee, the Committee were of opinion that the Board should be differently constituted, he would be prepared to accept any reasonable amendment, because, as he said on the second reading of the Bill, the great object in view was to obtain local supervision; for nothing could be clearer than that the management in the past, as shown in the evidence, had been totally defective. One of the trustees said he had never been in Wanganui at all, and knew nothing about the school; one had not been there for six years; and the Bishop of Wellington said that he only paid flying visits to Wanganui, and that, whatever was done with the trust, he intended to resign from the trusteeship at an early date; so that they would lose the benefit even of his flying visits. When they considered that here was a property yielding £700 a year, that there were only twenty-five boys, the sons of wealthy residents, attending the school, and that they paid £7 a year each, they must come to the conclusion that, after its twenty-five years of existence, the trust had utterly broken down. Two or three years ago the attendance was between fifty and sixty; now it was only twenty-five: and there was no attempt made to carry out the trust, either in the spirit or in the letter. He would ask the House to allow the Bill to go into Committee, where he would be prepared to accept any reasonable amendment that might be proposed in the constitution of the Board.

Question put, "That I do now leave the chair;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	37
Noes	...	...	...	...	25
Majority for	...	...	...	...	12

AYES.

Mr. Allwright,	Mr. Pyke,
Mr. Andrews,	Mr. Reeves,
Mr. Bain,	Mr. Saunders,
Mr. Barron,	Mr. Shanks,
Mr. Bryce,	Mr. Sheehan,
Mr. Bunney,	Mr. Stewart,
Captain Colbeck,	Mr. Swanson,
Mr. Finn,	Mr. Tainui,
Mr. J. B. Fisher,	Mr. Thomson,
Mr. J. T. Fisher,	Mr. Tomoana,
Mr. Gisborne,	Colonel Trimble,
Mr. Hislop,	Mr. Turnbull,
Mr. Hutchison,	Dr. Wallis,
Mr. Kelly,	Mr. Whitaker,
Mr. Lundon,	Mr. Whyte,
Mr. Macandrew,	Mr. Reader Wood.
Mr. Mason,	<i>Tellers.</i>
Mr. McDonald,	Mr. Ballance,
Mr. Murray,	Mr. Montgomery.

NOES.

Mr. Bowen,	Mr. Seddon,
Mr. De Lautour,	Mr. Seymour,
Mr. Fulton,	Mr. Shephard,
Mr. Gibbs,	Mr. Speight,
Sir G. Grey,	Mr. Studholme,
Mr. Hall,	Mr. Sutton,
Mr. Hamlin,	Mr. Tawhai,
Major Harris,	Mr. Tole,
Mr. H. Hirst,	Mr. Wakefield,
Mr. Levin,	Major Willis.
Mr. McLean,	<i>Tellers.</i>
Mr. Reid,	Mr. Hursthouse,
Mr. Rolleston,	Mr. Pitt.

The motion was consequently agreed to.

IN COMMITTEE.

Mr. HAMLIN moved, That the Chairman report progress, and ask leave to sit again.

Question put, "That I report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	25
Noes	...	...	...	31
Majority against ...				6

AYES.

Mr. Bowen,	Mr. Seddon,
Mr. De Lautour,	Mr. Shephard,
Mr. Fulton,	Mr. Speight,
Mr. Gibbs,	Mr. Studholme,
Sir G. Grey,	Mr. Sutton,
Mr. Hall,	Mr. Tainui,
Mr. H. Hirst,	Mr. Tawhai,
Mr. Hursthouse,	Mr. Wakefield,
Mr. London,	Dr. Wallis,
Mr. McLean,	Major Willis.
Mr. Pitt,	<i>Tellers.</i>
Mr. Reid,	Mr. Hamlin,
Mr. Rolleston,	Major Harris.

NOES.

Mr. Allwright,	Mr. Murray,
Mr. Andrews,	Mr. Oliver,
Mr. Bain,	Mr. Saunders,
Mr. Ballance,	Mr. Shanks,
Mr. Barron,	Mr. Sheehan,
Mr. Bryce,	Mr. Stewart,
Mr. Bunney,	Mr. Swanson,
Captain Colbeck,	Mr. Thomson,
Mr. J. B. Fisher,	Mr. Tomoana,
Mr. J. T. Fisher,	Colonel Trimble,
Mr. Gisborne,	Mr. Turnbull,
Mr. Hislop,	Mr. Whitaker,
Mr. Hutchison,	Mr. Whyte.
Mr. Macandrew,	<i>Tellers.</i>
Mr. Mason,	Mr. Kelly,
Mr. McDonald,	Mr. Montgomery.

The motion was consequently negatived.

Clause 3.—"For the purposes of this Act a Board shall be constituted, to consist of nine members, five of whom shall be elected by the General Synod of the Church of England, and the remaining four by the Education Board of the Wanganui District."

Colonel TRIMBLE moved, That the word

Mr. Ballance

"five" be struck out, with a view to insert the word "three."

Question put, "That the word 'five' stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	31
Noes	...	...	...	22
Majority for				9

AYES.

Mr. Allwright,	Mr. McLean,
Mr. Bain,	Mr. Murray,
Mr. Ballance,	Mr. Oliver,
Mr. Barron,	Captain Russell,
Mr. Bowen,	Mr. Saunders,
Mr. Bryce,	Mr. Seddon,
Mr. Bunney,	Mr. Studholme,
Captain Colbeck,	Mr. Swanson,
Mr. J. B. Fisher,	Mr. Thomson,
Mr. Gisborne,	Mr. Tomoana,
Sir G. Grey,	Mr. Turnbull,
Mr. Hall,	Mr. Whitaker,
Mr. Kelly,	Mr. Whyte.
Mr. Macandrew,	<i>Tellers.</i>
Mr. Mason,	Mr. Hislop,
Mr. McDonald,	Mr. Hutchison.

NOES.

Mr. Andrews,	Mr. Rolleston,
Mr. J. T. Fisher,	Mr. Shephard,
Mr. Fulton,	Mr. Speight,
Mr. Gibbs,	Mr. Stewart,
Mr. Hamlin,	Colonel Trimble,
Major Harris,	Mr. Wakefield,
Mr. Hursthouse,	Dr. Wallis,
Mr. London,	Major Willis.
Mr. Montgomery,	<i>Tellers.</i>
Mr. Pitt,	Mr. De Lautour,
Mr. Pyke,	Mr. Sheehan.
Mr. Reid,	

The amendment was consequently negatived.

Mr. HAMLIN moved, That the words "Education Board of the Wanganui District" be struck out, with a view to insert the words "Diocesan Synod of Wellington."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	34
Noes	...	...	...	19
Majority for				15

AYES.

Mr. Acton Adams,	Mr. Oliver,
Mr. Bain,	Captain Russell,
Mr. Barron,	Mr. Saunders,
Mr. Bryce,	Mr. Shanks,
Mr. Bunney,	Mr. Stewart,
Captain Colbeck,	Mr. Sutton,
Mr. Dick,	Mr. Swanson,
Mr. J. T. Fisher,	Mr. Thomson,
Mr. Gisborne,	Mr. Tomoana,
Mr. Hall,	Colonel Trimble,
Mr. Hislop,	Dr. Wallis,

Mr. Hutchison,
Mr. Ireland,
Mr. Kelly,
Mr. Macandrew,
Mr. McDonald,
Mr. McLean,
Mr. Moss,

Mr. Whitaker,
Mr. Whyte,
Mr. Reader Wood.

Tellers.
Mr. Ballance,
Mr. Murray.

NOES.

Mr. Andrews,
Mr. Bowen,
Mr. Brown,
Mr. De Lautour,
Mr. Fulton,
Major Harris,
Mr. Hursthouse,
Mr. London,
Mr. Montgomery,
Mr. Pitt,

Mr. Shephard,
Mr. Speight,
Mr. Studholme,
Mr. Tainui,
Mr. Tawhai,
Mr. Turnbull,
Major Willis.

Tellers.
Mr. Hamlin,
Mr. Seddon.

The amendment was consequently negated.

Mr. SPEIGHT moved, That the Chairman do report progress, and ask leave to sit again.

Question put, "That I do report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	20
Noes	...	...	...	...	34

Majority against...	...	...	...	14
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AYES.

Mr. Beetham,
Mr. Bowen,
Mr. De Lautour,
Mr. Hall,
Major Harris,
Mr. Hursthouse,
Mr. London,
Mr. Pitt,
Captain Russell,
Mr. Seddon,
Mr. Shanks,

Mr. Shephard,
Mr. Studholme,
Mr. Sutton,
Mr. Tainui,
Mr. Tawhai,
Colonel Trimble,
Dr. Wallis.

Tellers.
Mr. Hamlin,
Mr. Speight.

NOES.

Mr. Acton Adams,
Mr. Andrews,
Mr. Bain,
Mr. Ballance,
Mr. Barron,
Mr. Bryce,
Mr. Bunny,
Captain Colbeck,
Mr. Dick,
Mr. J. T. Fisher,
Mr. Fulton,
Mr. Gisborne,
Mr. W. J. Hurst,
Mr. Hutchison,
Mr. Ireland,
Mr. Kelly,
Mr. McDonald,
Mr. McLean,

Mr. Montgomery,
Mr. Moss,
Mr. Murray,
Mr. Oliver,
Mr. Saunders,
Mr. Shrimski,
Mr. Stewart,
Mr. Swanson,
Mr. Thomason,
Mr. Tomoana,
Mr. Whitaker,
Mr. Whyte,
Major Willis,
Mr. Reader Wood.

Tellers.
Mr. Hislop,
Mr. Macandrew.

The motion was consequently negated.

Clause 3.—New subsection: "The elections may be conducted in such manner as the elective bodies respectively may appoint."

Mr. HAMLIN moved, That the first word "The" be struck out, for the purpose of inserting the word "No."

Question put, "That the word proposed to be omitted stand part of the subsection;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	34
Noes	...	...	...	...	16

Majority for	...	...	...	18
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AYES.

Mr. Acton Adams,
Mr. Andrews,
Mr. Bain,
Mr. Ballance,
Mr. Barron,
Mr. Bryce,
Captain Colbeck,
Mr. Dick,
Mr. J. B. Fisher,
Mr. Fulton,
Mr. Gisborne,
Mr. Hall,
Mr. Hislop,
Mr. Ireland,
Mr. Kelly,
Mr. Macandrew,
Mr. McDonald,
Mr. McLean,

Mr. Montgomery,
Mr. Moss,
Mr. Murray,
Mr. Saunders,
Mr. Shanks,
Mr. Shrimski,
Mr. Stewart,
Mr. Swanson,
Mr. Thomson,
Mr. Tomoana,
Colonel Trimble,
Dr. Wallis,
Mr. Whyte,
Mr. Reader Wood.

Tellers.
Mr. Bunny,
Mr. Whitaker.

NOES.

Mr. Allwright,
Mr. Beetham,
Mr. De Lautour,
Major Harris,
Mr. Hursthouse,
Mr. London,
Mr. Pitt,
Captain Russell,
Mr. Seddon,

Mr. Shephard,
Mr. Tainui,
Mr. Tawhai,
Mr. Turnbull,
Major Willis.

Tellers.
Mr. Hamlin,
Mr. Speight.

The amendment was consequently negated.

Clause 18.—Powers of Board to lease.

Mr. J. B. FISHER moved, That the words "twenty-one years" be struck out, with a view to insert the words "forty-two years."

Question put, "That 'twenty-one' stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	21

Majority against...	...	...	...	6
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AYES.

Mr. Andrews,
Mr. Beetham,
Mr. Bryce,
Mr. Dick,
Mr. Fulton,
Mr. Hall,
Mr. Hislop,
Mr. Hursthouse,

Mr. Ireland,
Mr. Montgomery,
Mr. Sutton,
Mr. Swanson,
Major Willis.

Tellers.
Mr. Murray,
Mr. Turnbull.

NOES.

Mr. Bain,
Mr. Barron,
Mr. Bunny,
Mr. De Lautour,
Mr. J. T. Fisher,

Mr. Macandrew,
Mr. McDonald,
Mr. Reid,
Mr. Seddon,
Mr. Stewart,

Mr. George,
Mr. Gisborne,
Major Harris,
Mr. W. J. Hurst,
Mr. Kelly,
Mr. London,

Mr. Tawhai,
Colonel Trimble,
Mr. Whitaker.
Tellers.
Mr. Ballance,
Mr. J. B. Fisher.

The words were consequently struck out, and the amendment agreed to.

Mr. HURSTHOUSE moved, That progress be reported.

Question put, "That I do report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	21
Majority against ...					6

AYES.

Mr. Bain,
Mr. Beetham,
Mr. George,
Mr. Ireland,
Mr. London,
Mr. Moss,
Mr. Rolleston,
Mr. Seddon,

Mr. Shephard,
Mr. Speight,
Mr. Sutton,
Mr. Tawhai,
Major Willis.
Tellers.
Mr. Fulton,
Mr. Hursthouse.

NOES.

Mr. Andrews,
Mr. Ballance,
Mr. Barron,
Mr. Bryce,
Mr. Bunny,
Mr. De Lautour,
Mr. J. B. Fisher,
Mr. J. T. Fisher,
Major Harris,
Mr. Hislop,
Mr. Kelly,

Mr. Macandrew,
Mr. McDonald,
Mr. Montgomery,
Mr. Reid,
Mr. Swanson,
Colonel Trimble,
Mr. Turnbull,
Mr. Whitaker.
Tellers.
Mr. Gisborne,
Mr. Reeves.

The motion was consequently negatived.

Clause 31.—Regulations not to contravene certain provisions.

Mr. ANDREWS moved, That in the following subsection—" (1.) One-third in number of the scholars, both resident and day scholars, shall be admitted free of all payment charges whatever"—the words "One-third in number of the scholars, both resident and day," be omitted.

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	13
Noes	...	...	...	...	22
Majority against ...					9

AYES.

Major Atkinson,
Mr. Ballance,
Mr. Barron,
Mr. Bryce,
Mr. J. B. Fisher,
Mr. Gisborne,
Mr. Hall,

Mr. Hislop,
Mr. Macandrew,
Mr. McDonald,
Mr. Whitaker.
Tellers.
Mr. Kelly,
Colonel Trimble.

Mr. J. B. Fisher

NOES.

Mr. Bain,
Mr. Beetham,
Mr. De Lautour,
Mr. Dick,
Mr. J. T. Fisher,
Mr. Fulton,
Mr. Hamlin,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Hursthouse,
Mr. Ireland,
Mr. London,

Mr. Montgomery,
Mr. Seddon,
Mr. Shanks,
Mr. Shephard,
Mr. Sutton,
Mr. Swanson,
Mr. Tawhai,
Major Willis.

Tellers.
Mr. Andrews,
Mr. Speight.

The amendment was consequently agreed to.

Mr. BALLANCE moved, That the following subsection be struck out:—

"(5.) The time when any religious observance or instruction in religious subjects is given in the school shall be inserted in a notice to be kept permanently and conspicuously fixed in each separate schoolroom."

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	16
Noes	...	...	...	...	21
Majority against ...					5

AYES.

Major Atkinson,
Mr. Beetham,
Mr. J. B. Fisher,
Mr. J. T. Fisher,
Mr. Hamlin,
Major Harris,
Mr. Hursthouse,
Mr. Ireland,
Mr. London,

Mr. Seddon,
Mr. Shanks,
Mr. Speight,
Mr. Tawhai,
Mr. Turnbull.

Tellers.
Mr. Andrews,
Mr. Montgomery.

NOES.

Mr. Bain,
Mr. Ballance,
Mr. Barron,
Mr. Bryce,
Mr. De Lautour,
Mr. Dick,
Mr. Gisborne,
Mr. Hall,
Mr. Hislop,
Mr. W. J. Hurst,
Mr. Kelly,

Mr. Macandrew,
Mr. McDonald,
Mr. Rolleston,
Mr. Shephard,
Mr. Swanson,
Colonel Trimble,
Mr. Whitaker,
Major Willis.
Tellers.
Mr. Fulton,
Mr. McLean.

The amendment was consequently agreed to.
The Bill was reported, with amendments.

AUCKLAND IMPROVEMENT COMMISSIONERS TRANSFER OF POWERS.

This Bill was considered in Committee.

Mr. SEDDON moved, That progress be reported.

Question put, "That I do report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	11
Noes	...	...	...	...	18
Majority against ...					7

AYES.

Mr. Barron,
Mr. J. B. Fisher,
Mr. J. T. Fisher,
Major Harris,
Mr. Hislop,
Mr. Ireland,

Mr. Montgomery,
Mr. Shephard,
Mr. Turnbull.
Tellers.
Mr. Hamlin,
Mr. Seddon.

NOES.

Major Atkinson,
Mr. Bain,
Mr. Ballance,
Mr. Beetham,
Mr. De Lautour,
Mr. George,
Mr. Hall,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Moss,

Mr. O'Rorke,
Mr. Pitt,
Mr. Rolleston,
Mr. Speight,
Mr. Swanson,
Colonel Trimble.

Tellers.

Mr. Hursthouse,
Mr. McLean.

The motion was consequently negatived.

Progress was reported, and leave given to sit again.

The House adjourned at twenty-five minutes past four o'clock a.m.

LEGISLATIVE COUNCIL.

Friday, 21st November, 1879.

First Readings—Second Reading—Third Readings—Harbour Defences—Native Expenditure—Qualification of Electors Bill—District Courts Bill—Miners' Rights Fees Reduction Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Otago University Reserves Leasing Bill, Hokitika Harbour Board Endowment Bill, Patents Bill, Waitara Harbour Board Land and Borrowing Bill, Mines Bill.

SECOND READING.

Rabbit Nuisance Bill.

THIRD READINGS.

Oamaru Harbour Board Bill, New River Pilot Station Reserve Bill, Rabbit Nuisance Bill, Waiuku Recreation Reserve Bill.

HARBOUR DEFENCES.

The Hon. Mr. WILSON moved, That it is desirable that this Council be informed what course the Government propose to take with reference to the harbour defences, and the visit of Colonel Scratchley, R.E., to inspect the colonial harbours.

The Hon. Colonel BRETT said, whatever steps the Government intended taking in this matter, he hoped it would be done in a liberal manner, and that the Government would show they appreciated the services of so distinguished an officer by sending the Government steamer for him. If he were in the place of Colonel Scratchley, he would not leave the country he was now in if his services were not appreciated and honored in a manner of that kind. He simply suggested this to the Government so as not to have a repetition

of what had already come before this Council, and which he considered was not to the credit of a Parliament like this. He thought that by sending the Government steamer for Colonel Scratchley it would have the effect of removing the very unfavourable impression which must rest in the minds of those distinguished officers, Sir William Jervois and Colonel Scratchley.

The Hon. Mr. WHITAKER said, in reference to the visit of Colonel Scratchley, since the matter was under discussion a few days ago a letter had been received from Colonel Scratchley saying he would be able to come down here in January; and the Government proposed that he should come. As to what course the Government would take with reference to harbour defences afterwards, that would depend, of course, on Colonel Scratchley's report. He could give no information whatever on the subject until the Government saw what that report was.

The Hon. Dr. POLLEN did not know whether it had come under the notice of his honorable friend the Attorney-General, but, if he was correctly informed, a Royal Commission was issued in England a month or two ago for the purpose of making inquiry generally into the question of colonial defences. His information was derived from a glance at the *Home News*, which had been received that morning. There were several well-known names on that Commission, and the intention was to inquire into and report on this special question.

The Hon. Colonel WHITMORE was very glad to hear that the Government proposed that Colonel Scratchley should come down, because, when this Royal Commission met in London, they would have that very information which they had sent here to obtain, but which could not be furnished because practically the Government had done nothing but procure the armament. Colonel Scratchley had concurred with him that it would be impossible, for the sum of money estimated in London, to execute the works proposed during the Russo-Turkish war. That in itself would be quite sufficient to justify the Government in taking no further steps until they had scientific information on the subject. Sir W. Jervois had already reported exhaustively on the defence of this colony, and his recommendations were accepted by the Commission which met in London during the Russo-Turkish war.

The Hon. Mr. WATERHOUSE rose to a point of order. The honorable and gallant Colonel had already spoken on this subject.

The Hon. Colonel WHITMORE said that, if this was the same debate, the motion was a motion of his, and he had a right to reply.

The Hon. the SPEAKER said this was a new motion, moved by the Hon. Mr. Wilson and seconded by the Hon. Mr. Johnson.

The Hon. Mr. WATERHOUSE would like to know what had become of the other. He understood this to be an adjourned debate. It was an error on the Order Paper, because the Hon. Mr. Wilson moved the adjournment, and he thought the Hon. Colonel Brett initiated the subject.

The Hon. the SPEAKER said that the Hon. Colonel Whitmore had moved a motion some-

thing to the same effect; but that lapsed, and then the Hon. Mr. Wilson gave notice of a similar motion, and, on being asked whether he did it on his own authority, or on behalf of the Hon. Colonel Whitmore, he stated that it was upon his own authority. Therefore this was a new motion before the Council.

The Hon. Colonel WHITMORE thought it amounted to pretty much the same thing. The Hon. Mr. Waterhouse had again made a mistake in saying that the motion was initiated by the Hon. Colonel Brett; because that honorable gentleman had seconded his (Colonel Whitmore's) motion. He had no intention whatever of casting imputations, or replying to any reflections that might be made upon the late Government in the matter. All he wanted to do was to point out why, from a colonial point of view, he was glad to hear that the Government had sent for Colonel Scratchley.

The Hon. the SPEAKER said the honorable gentleman had already spoken on the subject, and could not speak again. He had no doubt, however, as there had been some irregularity, that the Council would permit the honorable gentleman to speak.

The Hon. Colonel WHITMORE would say nothing more. If he could neither speak to a new motion nor reply upon his own motion, he had better remain silent. That appeared to be the rule which was applied to him, although another honorable member had been allowed to speak twice upon the motion. If he was to be interrupted on all occasions, he would rather not speak at all. Although he was endeavouring to inform the Council of the points in connection with which they had no information, he would take another opportunity of doing that, and would not trouble the Council further now.

Question put, "That the motion be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	15
Noes	...	...	...	19
Majority against...				4

AYES.

Mr. Acland,	Mr. Martin,
Colonel Brett,	Mr. Menzies,
Mr. P. A. Buckley,	Mr. Peter,
Mr. Chamberlin,	Mr. Taisara,
Mr. Dignan,	Colonel Whitmore,
Mr. Henderson,	Mr. Wilson,
Mr. J. Johnston,	Mr. Wood.
Mr. Mantell,	

NOES.

Captain Baillie,	Mr. Pharazyn,
Sir F. Dillon Bell,	Dr. Pollen,
Mr. G. Buckley,	Mr. Reynolds,
Mr. Gray,	Major Richmond, C.B.,
Mr. Holmes,	Mr. Robinson,
Mr. G. R. Johnson,	Mr. Scotland,
Mr. Lahmann,	Mr. Waterhouse,
Mr. Miller,	Mr. Whitaker,
Mr. Paterson,	Mr. Williamson.
Mr. Peacock,	

The motion was consequently negatived.

Hon. the Speaker

NATIVE EXPENDITURE.

The Hon. Mr. MILLER moved, That the time for bringing up the report of the Native Expenditure Committee be extended till the 3rd December next.

The Hon. Dr. POLLEN thought the Council should have some information from the honorable gentleman as to the cause of delay in the presentation of this report. It was a subject upon which there was a great deal of public—he would not say anxiety, but rather—curiosity, and there had probably been a great deal of exaggeration in the reports which had been circulated upon the subject. It was therefore desirable that the least possible delay should occur in the presentation of the report of the Committee.

The Hon. Colonel WHITMORE must say he thought there was a great deal of point in the remarks of the honorable member. He would like to see the report brought up as soon as possible, because, if there were further delays, the session would end before any report was brought up. He would be glad if the Chairman of the Committee would ask for a shorter extension of time—say, a week; and then, if necessary, a further extension could be asked for. He believed the report was in a fair way of completion.

The Hon. Mr. MENZIES said it might not be improper for him, as a member of the Committee, to say that an interim report was under consideration, and would probably be presented on next sitting-day. The Committee was not, however, satisfied that all it had to say would be contained in that report, and therefore desired a further extension of time.

QUALIFICATION OF ELECTORS BILL.

The Hon. Mr. WHITAKER. — Sir, I look upon it as an advantage which this Council possesses, in dealing with this question, that it has no direct personal interest in the matter. In the other House, as a matter of course, members are elected by the people, and they have a more immediate interest in the subject; and, without at all saying that they would allow themselves to be warped as to their proceedings in reference to such a measure, at the same time it is well known that where there is a certain amount of personal interest there may, possibly, be a certain amount of bias. This Council, not being at all affected by the Qualification of Electors Bill, and not being affected in any way as to the voting of electors, is able to look upon this question from a different point of view from that which would be taken by the House of Representatives: honorable members here are able the more calmly and quietly to consider the whole bearings of the case, and to deal with it apart altogether from any kind of feeling such as actuates members in the other branch of the Legislature. I have no doubt that this Council has long since realized that the Constitution Act which was granted to New Zealand in 1852 is a Constitution of a democratic character. I have no doubt that that feeling has been realized, and that the Council, in dealing with a question of this kind, must deal with it in that view. We must recognize that, in considering the alterations that are from

time to time required to be made in the Constitution, we should never lose sight of the fact that the Constitution, when granted, was of a very democratic character. I have no doubt the Council, as it has hitherto done, will upon all occasions fairly consider the form in which it will have amendments made in the Constitution, and that it will consider this Bill in a spirit of liberality. So far as my experience has gone, the Council has hitherto most fairly and reasonably dealt with all propositions of this kind. There is no doubt that this Council is of a more conservative nature than the other House, elected, as that is, by a very broad suffrage. The conservative element has a great advantage in tempering the feeling which might otherwise run to excess. At the same time, the Council is fairly called upon to deal with a matter of this kind in a spirit of liberality, and in a spirit that is in consonance with the form of Constitution under which we live. The question of the extension of the suffrage is one which has been agitated from time to time, ever since the Constitution Act came into operation in 1854. It has been constantly under consideration, and alterations have been made, producing probably no very great effect; and it does not appear to me that alterations such as are proposed in this Bill will change in a very great measure the state of things already existing. I think that, on the one hand, those who expect it will make a great change will find that they have been mistaken; and that those of a more conservative character who dread the passing of this measure will also be mistaken as to its results, and, to a great extent, both sides will be disappointed in regard to the expectations they have formed. That it will have a certain effect there is no doubt. It does appear to me of importance that we should consider the question entirely in reference to what the rights of the people are, and to the consequences which are likely to result from the concession of those rights. It does not always follow that when an extension of the suffrage takes place the country becomes very much more democratic. I hold that it is not so in principle; and in practice it has turned out otherwise. I would remind the Council of one instance of reform in England. There was an extension of the suffrage in 1868, and the electors in the boroughs of England were increased from 600,000 to 1,600,000 or 1,700,000, and in the counties the electors were increased to the extent of one-third. In consequence of that electoral reform the electors in the United Kingdom were increased by one-half. That was in 1868; but, at the general election which took place in 1874, what do we see? That a Conservative Ministry had a larger majority in the new House than any Ministry had secured for very many years, and that they are holding office up to the present time. I simply mention this for the purpose of showing that it does not follow that a lowering of the franchise, or an increase in the number of electors, necessarily destroys any conservative element whatever. This is a very important matter for our consideration, because, although our Constitution is of a democratic character, at the same time we desire that

it should not wildly run to radicalism. That there should be a conservative element no doubt everybody will, to a certain extent, admit. I do not think that element will be at all destroyed, injured, or impaired by the fact of granting an extension of the franchise. With regard to the proposed franchise, I dare say that no honorable members will desire, on the one hand, that persons who are merely passers through the country, living in it merely for a short time, and having no interest whatever in the country, should interfere in any way with our elections, and interfere with our Constitution; but, on the other hand, it does appear to me that all the inhabitants of New Zealand having a direct interest in the working of the Constitution are, to a certain extent, entitled to the franchise. I know of no good reason why any portion of the inhabitants fairly entitled to it should be excluded from exercising the elective privilege. They, to say the least, have rights, and the only justification for withholding those rights would be that it was not expedient to grant them. I do not believe it is expedient to withhold those rights; on the contrary, I think it is expedient and right that they should be granted. Under the circumstances, the Council will probably come to the same conclusion as myself—that these existing rights should be granted, and that there is no just or reasonable cause why they should be withheld. I am satisfied that no injurious results will follow upon the extension of the franchise as proposed in this Bill. The present state of the law in reference to the qualification of electors is of a most complicated character. The number of Acts already existing in reference to the franchise is eight, and the Constitution Act makes nine. The Constitution Act was passed in 1852, and, down to 1875, frequent alterations have been made, until at last the franchise has become so very complicated in its character as to make it a very difficult thing perfectly to understand. If there were no other reason for it, that would be a good reason, at all events, for consolidating and amending the law as to the franchise. I think the whole number of Acts has been reduced with very great advantage to the very small Bill I have here, and which has been reduced to seven clauses. We shall, if we pass this measure, have, in my opinion, a better franchise in every possible respect. We shall have an extended franchise, and, at the same time, one of a more conservative character. The number of franchisees that exist at present are exceedingly numerous. In the Constitution Act there are the freehold qualification of £50, a leasehold franchise of £10 a year, a household qualification in boroughs of £10 a year and in country districts of £5 a year. There is the Qualification of Electors Bill of 1870, under which a miner's right for six months conferred the privilege of voting. Under the same Act there is a business license conferring the right to vote. Under "The Registration of Electors Act, 1875," all those who pay rates have a vote. Under "The Lodgers Franchise Act, 1875," certain lodgers have a qualification. So we have the most complicated franchisees that can possibly be imagined. It appears to me that, taking all these qualifica-

tions into consideration, there are practically very few people who are excluded from the franchise. I see that there is very great advantage in getting rid, at all events, of this complication. The Bill I have the honor to propose the second reading of reduces the whole of these Acts, consisting of nine, with some eight or ten different franchises—reduces the whole to a short Bill of some seven clauses, which, I apprehend, there will be no difficulty in comprehending. Its proposals are very simple. It proposes that the Europeans shall have two franchises, and that the Maoris shall have two franchises also; but they are on a different footing. The Bill is not in precisely the same shape as it was originally brought in by the Government; it has been amended in several respects, to which I shall call attention presently. With regard to the franchise of Europeans, there is what is called, first of all, the freehold franchise. Every man who holds a piece of land to the value of £25 has a right to a vote, and to have his name put upon the register of electors. Then there is the residential qualification, which has been very much spoken of. It enables a man who has been twelve months in the country, and who has resided six months in a particular district, to have a vote for a particular district, and to have his vote registered accordingly. Instead of all these different qualifications which at present exist, and which are of so complicated a nature, the whole of the qualifications required for Europeans are reduced to two. It was the intention in the original Bill that the Natives should not vote at all with Europeans. The proposal there was that the Maori representation should be added to—that the Natives should not be permitted to be upon the European roll, nor should the Europeans be permitted to be upon the Native roll. The Natives were to get a certain number of members in proportion to the European members. I still think that legislation in that direction would have been the most advantageous. However, it must be admitted that this is a great advance on our present system, and we ought to be glad that we are to get something which will destroy the present complicated, difficult, and unsatisfactory system. Whether or not it may be desirable at a future time to give the Maoris further representation of their own, and to exclude them altogether from ours, will be a question for consideration. I do not think the number of Maoris admitted to the franchise will very seriously interfere with the European representation, because a limitation is placed upon their franchise which will keep the numbers within reasonable bounds. The franchise is to be conferred upon every Maori who is a ratepayer. A great deal has been said about the Maoris being ratepayers, and about their right to vote. I think the best thing we could do would be to give them precisely the same franchise we have ourselves; but I do not think that would be satisfactory to them, as they look upon the special representation as being more advantageous to themselves. If we are to put them into the same position as the Europeans, it would be an injustice to give them the special representation also. This

Hon. Mr. Whitaker

Bill does neither one thing nor the other. It neither gives the Maoris special representation in conformity with their numbers as compared to the Europeans, nor does it exclude them altogether from the qualification which the Europeans possess. It is, in point of fact, something intermediate. It gives them half of one and half of the other. How far that is desirable I cannot say, but it certainly is not what I should have done. However, as the Bill is an advance upon the present system, and as it passed through the other branch of the Legislature by a large majority, I think it would be wise for the Council to pass it also. Having got so far, it would be a matter for consideration hereafter whether it is desirable that some other alteration should be made. It has been said that it would not be desirable to increase the Native element in the House of Representatives. I do not agree with that. I have sat in the House of Representatives, and I am satisfied that there are no members in that House who conduct themselves with more propriety than the Native members; and as to saying that they are always influenced in favour of any particular Ministry, or any particular party, I do not believe that either. Latterly, from the presence of a particular gentleman in that House, they may possibly have been operated upon more than in former times. I allude to Mr. Sheehan, who, being a Native scholar and an active man, has had more opportunities than any other man of influencing the Maoris. But still I think the Maoris have very successfully withstood any blandishments of Mr. Sheehan or other persons. I do not think it would injure us or anybody else to give them increased representation. I think that would please them more than giving them joint representation with the Europeans. However, the House of Representatives thought otherwise. They thought that was not the most desirable thing to do, and they came to a sort of compromise in the matter. I think the Council should accept it in the same light. I beg to move the second reading of the Bill.

The Hon. Colonel WHITMORE.—I congratulate the honorable gentleman on his introduction of a Bill upon which I believe his heart has been set for many years. He has been most consistent in advocating this measure in every Parliament, and I feel sure that he must express something more than the usual gratification of a Minister when he says that he is proud of having the honor of introducing it to-day. The great beauty of this Bill, to my mind, is its extreme simplicity. Any one who can understand ordinary English can understand it. It lays down as the electoral qualification only two very easily-understood franchises. Inasmuch as the Constitution Act has been set aside in the instances which the honorable gentleman has given, there can be no very great objection from the point of view those Conservatives would take who wish to conserve every letter of that Act, because a clause is introduced which will embrace all the qualifications in that Act. There can be no doubt that the introduction of the residential franchise will enable every person in the towns to be placed on the roll. The only people, as far as I can ascer-

tain, who are excluded from voting at elections now are the labouring-men in the country places, and possibly a few labourers in the towns; but they are almost to a man in favour of property, because they are trying to acquire it by labour. There are thousands and thousands of people of that class in the country, but there are not many who could be qualified under the seven or eight franchises which now exist, if they wished it. I myself regard this class as the most conservative element of the population; so honorable gentlemen need not be afraid of them. Another reason why I favour this Bill is that it sweeps away that most injurious franchise, the miner's right. That franchise has had an exceedingly bad effect, as we have seen in cases where numbers of persons who only pay £1 a year for a miner's right have been taken from one district to another, in order to influence elections. Then the honorable gentleman laid great stress upon the Maori qualification. He "damned" it altogether with "faint praise," in a "Don't put it under the pump" sort of manner. I congratulate the Government on having accepted that clause, which is word for word the same as the proposal made by the Hon. Sir Dillon Bell last year, with the concurrence of the late Government, which had been howled at for wishing to introduce it, on the pretence that it gave the Maoris the dual vote. However, the Council rejected it. I must say that I prefer this clause to the proposal which the honorable gentleman's colleague wished to introduce in another place, because, instead of passing exceptional legislation, which will tend to separate the Maori race from us, we should try to break down those barriers, so that they might stand before the law in the same position as ourselves. And, if it comes to be a question of influence, what will be the effect of introducing nine or ten Maori members into the other branch of the Legislature? We should simply hand over the country to these nine or ten persons, for nine votes taken off one side and put on the other would turn any discussion. I do not wish to give instances of persons who have exercised great influence over the Maoris; but I may be allowed to say that the late Native Minister is not the first Native Minister who has exercised great influence over the Maori members in that House, and that there is a certain danger in it is unquestionable. But if there is that danger in the House, it is quite a mistake to suppose that there is an equal danger in the country. In the country districts the Maoris are not so much under the influence of one particular person. In two districts where the Native Minister was supposed to have a special influence, I have seen two persons elected against the Government by the Maori votes; and the Native Minister himself unsuccessfully contested an election in a district where there are large numbers of Maoris on the roll. I am afraid that, in the present state of the education of the Maori race, they will not find enough good men to come here who are trained in the business of Parliament. If they send us four as able and respectable chiefs as we have had here for some time past, I think that is a good deal to ask

from a race that has not had the full advantage of education. By giving them a small portion of the representation they are entitled to have in the way proposed, we give them a voice in the management of affairs affecting themselves; but I wish to know why a distinction should be made in the freehold qualification of the Maori and the European. I see that a European is qualified by freehold property worth £25, whether encumbered or not; whereas a Maori is not entitled to a vote for an encumbered property at all. With regard to the plural vote, I think property ought to be a reality; and I must say that I do not think the property qualification is large enough. I do not know why it should be reduced from the £50 specified in the Constitution Act, and in Committee I shall propose to restore it to that amount. The honorable gentleman very truly said that honorable gentlemen who were of a conservative cast of mind,—and, by conservative, I suppose he refers to the Tory mind—need not dread this Bill. I can only remind him of what a celebrated Tory leader said with regard to another Bill. He said, "Don't suppose that we shall be hurt by this Bill; its effect will be to give us a much greater influence in Parliament." Therefore any fears in this direction are entirely without foundation. The ballot had the effect of giving the Conservative Government in England a larger majority than had ever been known in Parliament. The whole meaning of this Bill is comprised in the first three clauses, and in regard to them I have only to observe that I take objection to the value in the 1st subsection, and to the provisions of subsection (3), dealing with registration. Under the 3rd subsection, any person can lodge his claim to vote, and then next day vote at the next election. I certainly think that some precaution ought to be taken to ascertain whether a person has a right to register his vote. The present Government, as well as the late Government, have been pledged to introduce this Bill. I have no objection to the Bill, which is virtually the measure I had the honor to introduce on a former occasion. It is, perhaps, simplified and improved, and I hope the Council will not reject it. I perceive one or two amendments which may be made with advantage, and in Committee I shall move the amendments I have pointed out.

The Hon. Sir F. DILLON BELL.—If I had not spoken on the Triennial Parliaments Bill, I should not trouble the Council with any remarks to-day. But, as I then expressed a very strong objection to that measure, which was one of the "grand liberal policy" measures proposed by the late Government at the beginning of the first session of 1879, I do not wish it to be supposed that there are any members in the Council who are unwilling to extend the franchise in the manner now proposed. Indeed, the very members who were most unwilling that the Triennial Parliaments Act should pass, considering it to be entirely an illiberal measure and the very reverse of what it pretended to be, will probably be found to be those most willing to have the suffrage extended. As far as the Legislative Council is concerned, we have never expressed any objection

to extending the franchise. On the contrary, we concurred most cheerfully with the House of Representatives, in 1878, in extending the suffrage as we were asked to do: and it was only because of the persistency with which the Prime Minister of that time refused to receive back from this Council the Bill in the shape in which he had himself introduced it into the other House of Parliament, that the people of the colony were deprived of the franchise we were then quite willing to give them. It was only one of the many pretences which the Prime Minister of that day, Sir George Grey, eagerly sought after—and of course all the members of his Government were equally responsible with him—in order to accuse the Legislative Council of standing in the way of the freedom of the people, as if the Council had ever wished to crush the nascent desire of the inhabitants of this country to take a larger part in the government of the colony. Sir, the Government of which Sir George Grey was the leader never lost an opportunity of pouring upon the Legislative Council the most unmeasured abuse for their part in connection with the Electoral Bill of that day. The Government of Sir George Grey did their best to hold up the Legislative Council to the execration of the people. The Government of Sir George Grey left no stone unturned to represent the Legislative Council as the enemies of any extension of the suffrage. Therefore I hope that other honorable members besides myself will take the opportunity of placing on record—and we never know until some future day the value of putting such things on record—our declaration that those statements made by the Government of Sir George Grey were entirely without foundation, and that this Legislative Council was not less willing then than it is now to grant the extension of the suffrage which the present Government ask us to agree to. I have no doubt the same accusations will be made again as were made then, and as often as they are repeated they will be equally without any justification in fact. Sir, the observation made by the honorable and learned Attorney-General, that those interested in the maintenance of conservative principles in government need not fear the extension of suffrage proposed, was a perfectly sound one. My honorable friend fell, it is true, into a slight error in saying that the first occasion on which the result of Mr. Disraeli's legislation was seen was the return of the present Conservative Government to power. He had forgotten that, when the measures of Mr. Disraeli, in 1867 and 1868, for the extension of the suffrage were passed, the immediate effect of them was to turn Mr. Disraeli out. The general election took place in 1868, and he did not even meet the House of Commons again, but withdrew from the Government and gave it up to Mr. Gladstone. The Hon. Colonel Whitmore was quite right in saying that Mr. Disraeli assured the House of Commons that it was not from his extension of the franchise that the triumph of democracy must be feared in England: on the contrary, as the honorable and learned Attorney-General pointed out, it was undoubtedly seen, in the general election of 1874, that, notwithstanding Mr. Dis-

raeli's large extension of suffrage, the growth of conservative feeling had become very marked in England. Nor do I believe it will be otherwise here. I have no fear whatever, so far as my own opinion may be considered worth having, that conservative principles will suffer by an extension of the suffrage. On the contrary, I will go so far as to say that, if at any general election preceding the late one there had been a larger number able to vote, men of property would have been returned in even greater numbers than they were at the late election. What I am afraid of, rather, is on the other side: that the more you extend the suffrage, the more you will throw power into the hands of the wealthy and the more you will induce the spending of money in buying votes at general elections. The tendency will be to have property even more represented in Parliament than it hitherto has been. With regard to what my honorable and learned friend said on the subject of Maori representation, I agree with the proposal made by the Government in this Bill. Indeed, it is well known to honorable members—I think it has been mentioned by the Hon. Colonel Whitmore—that the proposal is practically the same as was made in 1878. It was not made by me, but by the Hon. Mr. Wilson, in endeavouring to reconcile the differences which existed then: and, if the Government had only been reasonable at that time, I do not think there would have been any objection to it. But the Hon. Colonel Whitmore refused to have anything to do with it, and drove the Council at last to take up the attitude of absolutely refusing anything in the shape of the dual vote. There was one statement made by the honorable and learned Attorney-General, and echoed by the Hon. Colonel Whitmore, against which I wish to express my own view very strongly. I understood the Hon. the Attorney-General to say that it was his own opinion, and the opinion of the Government at one time, that it would be a good thing to extend the Maori representation in the other House, and that this was the object of the Bill the Government introduced. I think that would be a very great mistake. It is entirely losing sight of the fundamental principle of the Maori Representation Act to suppose that, because there is a certain number of English members returned to represent the European population, therefore the Maori members, elected on a totally different franchise, should bear any specific relation to that number of English members. That is a fundamental error, and I think it can be clearly shown to be so in this way. When the Maori Representation Act was passed, the relative proportions of the English and Maori populations were very different from what they are now: I think there were then 60,000 Natives and 250,000 Europeans in the colony. At that time it was not thought necessary to give more than four Maori members as special representation. But now the proportions are entirely reversed. There are now only 40,000 Natives in the country, while there are nearly half a million English people. Therefore, by all parity of reasoning, instead of the number of Maori members being increased, it ought to be reduced. If it was only

Hon. Sir F. Dillon Bell

necessary to give four Maori members when the proportion was as 60 to 250, there is no justice or fair-play in giving them larger representation when their proportion is only 40 to 500. As was justly said by the Hon. Colonel Whitmore, we must not forget that we have had warnings of absolute danger to European interests involved in the existence of a large Maori representation in the House of Representatives. I believe I am not likely to be misunderstood by the Natives, certainly not by my Native friends in this Council, as finding fault with the Native representation as it is. On the contrary, I was one of those in favour of it originally, and I did the best I could to carry it out and maintain it. Moreover it can be said that in both Houses it has been a complete success, so far as regards the intelligence, moderation, and good sense shown by the Native members themselves. But it would be a great evil, and would become, presently, a very great danger, if, in the political conflicts in which we engage, we should give to the Government of the day an extended power of manipulation—I use the word of the honorable and learned Attorney-General—over the Native members in the other House. I quite agree with what fell from the Hon. Colonel Whitmore, that if you increase the number of Maori members to nine or ten, so as to make them equal on a division to eighteen or twenty, you may wish good-bye to anything like control over the Government in European interests. It would create such a preponderating power of political influence on the part of the Government of the day, and place such an immense power in the hands of the Native Minister for the time being, that I believe a more pernicious proposal could not be carried. And if it ever came here, although I shall always be in favour of maintaining the Maori representation as it at present stands, I should do my very utmost to prevent its becoming law. I think that the arrangement proposed by this Bill is fair to the Natives. It gives them the standing in the representation of the people which it is fair they should have, and I hail it as a measure of reform which will be accepted, I believe, by the Native people when they come to understand it. But I hope that we are not to take what was said by the Hon. the Attorney-General as an indication that, after settling this question as they now propose to settle it, the Government will endeavour at an early period to unsettle it, by raising again the very question which should now be finally laid. The question of the dual vote led to a great deal of jealousy, and to an attempt to create ill-blood between the two races; whereas I think this proposal will have an opposite effect, and will lead the Native people to see that the present Government, at any rate, is really desirous of giving them a fair influence in public affairs. I think we ought, in this instance, to accept as far as we possibly can the Bill which the House of Representatives sends up. I should be very sorry to see the Legislative Council interfering more than can be helped with proposals for the extension of the suffrage, which are better judged of in the other House, and are more within its proper control, than can be, or I think

ought to be, the case in this Chamber. I hope that, because I opposed the Triennial Parliaments Bill very strongly as a revolutionary measure, radically changing our Constitution, and objectionable in a variety of ways, it will not be supposed on that account that I do not fully allow that in a matter like this the House of Representatives are the best judges of their own interests and of the interests of the country, and are entitled, so far as it can possibly be yielded by us, to a concurrence in the views which they themselves lay down. I trust, therefore, that the honorable and gallant Colonel will think better of his proposal to amend the Bill, and that we shall pass it in the shape in which the House of Representatives have sent it up.

The Hon. Mr. WILSON.—I do not think this Council can be aware what the result to the Natives will be if this Bill is passed into law. From the way in which the Attorney-General opened his remarks one would imagine that it was the intention to leave the Maori representation in about the same state in which it now is. But if the measure passes in its present shape the practical result will be, that all those Natives now on the roll will be disqualified. The effect of two words—"in severalty"—in the 4th subsection of clause 2 will be to strike off about 90 per cent. of the Natives now on the roll. The interpretation of these words is, of course, a legal question, and the Council will be disposed to accept the opinion of the Attorney-General; but I interpret them to mean that the person must be absolutely seised in his own right, and not jointly with anybody else, of a certain freehold. Well, there are very few Natives on this Island who are so situated. In the district in which I reside there are several hundred Natives on the roll by virtue of a freehold qualification, and of that number I suppose there are not more than twenty who would be entitled to vote under this Bill. This is called a liberal measure, but I do not call that liberal at all, and I cannot think that the Natives, if the matter were explained to them, would consent to anything of the kind. They are far better as they are. The practice has been, with very few exceptions, to issue the Crown grants to ten Natives. These grants are issued, in many instances with which I am personally acquainted, for blocks containing many thousands of acres, and worth considerable sums of money. Under the existing law each of these ten Natives is entitled to a vote; but under this Bill they would not be so entitled. I do not think the Council will say that that is fair. I will not oppose the Bill at its present stage, but shall endeavour to effect some alteration in Committee. I should like to refer to one or two observations which fell from the last speaker. I think the honorable gentleman is rather presuming upon the credulity of this Council when he claims for it special credit as the representative of liberal ideas. No doubt this branch of the Legislature has many virtues, but I do not think liberality is one of them. I conceive that this is a most conservative Assembly, and that it is exceedingly improbable that any such measure as this would ever originate here, or, in fact, meet with cordial

support. I do not imagine, however, that any active opposition will be offered to this Bill. I should like to say one word more with reference to what fell from the Hon. Sir Dillon Bell as to the action of the late Government in regard to the Electoral Bill of 1878. The honorable gentleman said the failure of that measure was entirely due to the action of the late Government. I think, if the honorable gentleman's memory had served him better, he would have known that that was not so, and that there was an amendment, drawn by myself in conjunction with the honorable gentleman, which, if it had not been rejected by the Council, would have insured the passage of the Bill. I had the authority of my party for submitting that amendment to the Council as a fair settlement of the question; but it met with such general opposition that there was not even a division. The proposal was, that every Native possessed of land of the value of £50, held under Crown grant, should be entitled to a vote. Therefore I do not think it is fair to say that the rejection of the Electoral Bill was owing to the pertinacity of the late Government. On the contrary, I think it should be admitted that a fair and liberal proposal was made by the Government and rejected by this Council. After these remarks, I will only add that I shall support the Bill in all other respects than those I have mentioned.

The Hon. Dr. GRACE.—I think a great advantage in this Bill is, that it clearly sets forth, in subsection (4) of clause 2, with regard to the Natives, that they must be seised in severalty of a freehold estate. I am of opinion that it is the duty of this Legislature, by every means in its power, to foster the assimilation of the two races in all those particulars which go to make up our civilization. The holding of land in severalty is in accordance with the principle of communism, and neither our law nor our customs contemplate the possession of property by members of the community in severalty. That which is really of importance is, that the Maori should have exactly the same stake and the same character of stake in the country that the European holds. Such being the case, it is very desirable that in our legislation we should hold forth advantages to the Native to assimilate his tenure of land to ours. We shall find it excessively difficult to bring the civilization of the Maori people up to our standard unless we can individualize their titles in land. We know that, unless the Natives have a personal interest in a special piece of land, there is no prospect whatever of their cultivating that land; and, unless we can convert the Natives into an agricultural people, we cannot civilize them, in our sense of the word. For this reason in particular, and for others that have been already referred to, I shall cordially support this Bill. With reference to what my honorable and learned friend who has just sat down has said with regard to the conservative tendency of this Council, I would beg to remind him that a former Qualification of Electors Bill was accepted by this Council. To the best of my recollection it was passed without a division: at any rate, I was astonished to find that the great bulk of the

members of the Council not only accepted the measure, but spoke in favour of it. I am in favour of this Bill on account of its simplification of the law—on account of its setting forth clearly what are the qualifications which electors should possess. For my own part, I cannot but conceive that all these measures for the extension of the franchise possess dangers; but I believe that the advantages counterbalance the dangers, and that in this country, where it is possible for every man to become a freeholder, or, at any rate, to become the owner of property, we have nothing to fear in holding forth inducements to men to avail themselves of such opportunity by extension of the franchise. I have no desire to see the property qualification in this Bill increased. My opinion is, that if a man has ten pounds' worth of property it is of as much importance to him as thousands of pounds' worth of property is to another man. I want to see the people cultivating habits of thrift, and accumulating something; and I say that an ordinary labourer, who has accumulated twenty-five pounds' worth of property, is as deeply interested in the country, and perhaps more concerned in its real welfare, than the possessor of ten thousand pounds' worth of property, because he is engrafted on the soil—he is part and parcel of the country. These small properties change hands much less frequently than large ones; and, if we can settle small people upon the soil, the future of the country is safe. It is to these people and to their industry that we have to look for the advancement of this colony. Therefore, on the principle alone that ten pounds' worth of property owned by an economical man is of as much importance to him as fifty thousand pounds' worth of property owned by another economical man is to its owner, I am decidedly in favour of the property qualification. As regards the residential qualification, the condition of our society is such that a good deal of the intelligence of the colony will be excluded from the exercise of the franchise unless we have a residential qualification. Drunkenness is said to be the vice of despair. I consider that political profligacy is the vice of despair; and that in a country like this, where every man has a right to hope that he will accumulate property, all people by degrees become conservative. They come to take a material interest in the essential welfare of the State, and that, after all, is the only conservatism worthy of the name of Conservatism. I believe this is a measure which is creditable to the Government and useful to the country, and therefore I shall support it; and I am the more happy to take this course, because I felt myself bound to indicate my disapproval of the preceding Bill—the Triennial Parliaments Bill. The two Bills have an exactly opposite tendency. I think that the representatives of the people in Parliament require time to fit themselves for the performance of the very important functions which are crowded upon them, and therefore I resisted, or, rather, objected to, the principle of triennial Parliaments. But here the principle is essentially different. The ordinary elector has nothing to do but to make his choice of a representative—and his intelligence

Hon. Mr. Wilson

is equal to the task; but the representative has not only the power and the right to make a choice, but, if he is a worthy representative, he has the right and the power of carefully estimating the circumstances surrounding every particular question, and giving a decided opinion upon that question independently of the persons who sent him to Parliament. That is the difference between representation and delegation. There comes in the difference of the standing and intelligence of the respective parties, and there comes in the essence of the wisdom of the British Constitution. It is therein that the conservative principle of the Constitution exists—that the representative in Parliament is not a delegate—that he has an independent power to weigh and decide, and the exercise of that independent power requires a higher standing of intelligence and a higher degree of capacity than are to be found in the ordinary elector: and when you reduce the duration of Parliaments you diminish the opportunity which the representative has of acquiring the necessary information to enable him to form a mature judgment. It is on account of the material difference between the characteristics required in the two cases that I regard this Bill as of importance and value to the State, and the other as injurious to the best interests of the people.

The Hon. Mr. REYNOLDS.—Sir, I intend to support this Bill, the main features of which, I may say, are quite in accordance with the views I have held for many years. There is one part of which I do not approve, and that is the provision which gives special representation to the Maoris. However, if I cannot get exactly what I should like, then I must accept the next best thing. Now, a great deal has been said about the liberal measures of the late Government, and, among others, this Bill is alleged to have been filched from them by the present Government. But in 1875 the Vogel-Atkinson Government introduced a Bill containing nearly the same provisions as this. Indeed, I hold in my hand a review of that Bill as it appeared in one of the local papers some time ago. It says,—

“It maintained all the qualifications then in force, with the exception of those relating to miners' rights and business licenses on the gold fields, and provided that every male person over twenty-one years of age, after twelve months' residence, not subject to any legal incapacity, and being a natural-born or naturalized subject of Her Majesty, should also be entitled, after registration, to all the privileges of electors. It also provided that, so long as ‘The Maori Representation Act, 1867,’ or any Act amending, continuing, or extending the same, remained in force, no Maori should be entitled to vote under the Bill.”

Now, strange to say, when this Bill was before the House Mr. Sheehan moved that it be read a second time “this day six months;” and, on referring to the division list, I find that the motion was supported by Sir George Grey, Mr. Macandrew, Mr. Sheehan, Mr. Ballance, and Mr. Thomson. The other members of the late Ministry were not then in Parliament, but no doubt, had they been so, they also would have been found opposing the Bill. I merely state this to show

that the late Government made claims to Liberalism to which they had no title. The Bill was exactly the same as this now before the Council, with the exception that it gave the same qualification to the Maori population as to the European, and that provision I hope to see carried into law before many years are over.

The Hon. Mr. WATERHOUSE.—I could not, Sir, allow a Bill of this importance to pass without saying a word or two upon the subject; but, at the same time, it is my intention to trouble the Council with very few observations. When a Bill of a similar character was under discussion last year, I expressed my sentiments upon the subject fully and freely, and I have in no respect recanted the opinions I then held, nor have I anything fresh to offer upon this occasion. I will only repeat the observation that I then made—that I do not regard a measure for the extension of the franchise as necessarily being a measure in accordance with Liberalism. Undoubtedly there was a time when the question of the electoral franchise was a burning question in politics, and when it necessarily formed a part of the Liberal programme. Prior to the reform of 1831, when class legislation existed, it was necessary by all legitimate means to break down that objectionable form of government, and, as the only means of doing it was to insist that all classes of the community should be represented in Parliament, the extension of the franchise necessarily became a portion of the Liberal programme. But when all classes obtained fair representation in the government of the country—when no class was unduly favoured by the law—then the question of an enlarged franchise dropped out of the Liberal programme and became one entirely of speculative politics. As honorable members are aware, the Liberal party in England no longer identifies itself with manhood suffrage. They do there contend that the franchise shall be equalized—that all classes shall be placed upon the same footing; but the great Liberal party of England, which is at the head of the Liberal party in Europe, no longer contends for the principle embodied in this Bill, manhood suffrage. It is the same everywhere. The Liberal party in Belgium at the present time are avowed opponents of the extension of the franchise, because they know that to extend the franchise would be to throw the balance of power into the hands of one class, that class being numerically in a preponderance. So in Italy. The extension of the franchise is not regarded as a Liberal measure. The Liberals oppose anything approaching to universal suffrage, and for the same reason that it is opposed in Belgium. In both countries there is a large party who do support an extension of the franchise; but these are the Conservative party—the reactionary party. These parties support it upon different grounds, but with the same object, and that is the manipulation of the votes of those who would be endowed with the franchise. Who introduced universal suffrage to Europe, and used it upon a large scale? Was it not the late Napoleon? And now, wherever you see this principle adopted in Europe you invariably see it adopted by those connected with

autocracy, with Toryism, with socialism, or with reactionism. We hear that this measure is the foundation of the great liberal programme. But what is the liberalism of the late Colonial Secretary? Upon what ground does he approve of the measure? Because it is a conservative measure; because if this measure is passed it will enable employers of labour to bring the screw to bear upon those in their employment; because in this way it will be conservative in its operation. I am opposed to the extension of the franchise in this colony by either Liberals or Conservatives, so far as their arguments have been brought before us. I am opposed to it in the view advocated by those who call themselves Liberals, because the effect of it will be, to destroy the existing balance of politics, and throw power into the hands of one class in the community, which class is numerically the strongest, thus establishing what it is the object of Liberalism to destroy—class government. And I oppose it, Sir, on the ground on which it is advocated by Conservatives of the advanced-Liberal type of the honorable and gallant gentleman opposite—that it will play into the hands of the large employers of labour by giving them control over the votes. I cannot support that view, because I am a Liberal. I cannot support the other view likewise, because I am a Liberal, and as a Liberal I am opposed to seeing the balance of power thrown into the hands of any class of the community. My honorable friend the Attorney-General, in the course of his remarks, stated that, in his opinion, every one had the same right to vote. Now, Sir, I must take exception to that remark. I cannot, Sir, hide from myself that, where proper safeguards are provided, every man has a right to vote; but, Sir, I take exception to the honorable gentleman's remark that every man has the same right to vote. I cannot regard all as being equal contributors to the State, and therefore equally entitled, and to the same extent, to the privilege of voting. There is a clause in the Bill providing to some extent for the representation of property. I confess that I attach no value whatever to that provision, and were that clause entirely struck out it would give me no uneasiness at all. I feel the provision in favour of property to be a delusion and a snare. In times of excitement it will have no influence on the elections, and, if the elections are to take place on the same day, I believe that practically it will be a nullity. But I believe in a kind of representation which I consider to be the most philosophical of any; and I regret that it is not within our power to introduce it in our case. Holding the views I am about to express, I have no intention whatever of trying to embody them in the Bill now under consideration. I have said, Sir, that I cannot regard every person as having the same right to vote. I cannot regard the person who pays only indirect taxation as being entitled to the same privilege as a person who, in addition to indirect taxes, pays direct taxation. If our legislation were based on a philosophical principle, we should recognize these defects in our system, and should give to every person contri-

buting indirectly to our taxation one vote, and to every person contributing directly another and a distinct vote. In that way it would not be in the power of the untaxed to throw the whole burden of taxation upon any particular class of the community; but in proportion to the rate at which different classes contributed directly or indirectly to the taxation, would be the voting power. Sir, I have said that I thought it well to refer to what my views were on the subject, and to state distinctly that I am now, as a born Liberal, as a man having very liberal principles, opposed to this Bill. At the same time it is not my intention to vote against it. I have, as I said in the discussion the other day, laid down for my guidance as a member of this Council a rule which it is my intention to follow as far as possible under all circumstances: that is, when a subject has been distinctly remitted to the constituencies, and the constituencies have expressed their opinion on that subject, I will not be found standing in the way of effect being given to their expressed wish. As, having the views that I entertain on the subject, I cannot vote for the Bill, and as, having those views as regards the constitutional duty due from me to the public as a member of this Council, I cannot vote against it, therefore, if a division takes place on the subject, it will not be improbable that I shall be found voting on neither side.

The Hon. Mr. NGATATA.—I wish to say that I approve of the qualification which is introduced into this Bill for the Natives. The reason why I approve of it is, because in this clause it is set forth that a Native must know exactly what land he possesses, and may enrol himself on the rate-payers' roll if he has paid rates for the same. The reason why I disapproved of the Bill brought in by the late Government was that Natives were allowed to be placed on the roll who held land in common. I say, therefore, the reason why I approve of this Bill is, that it is what I contended for last year, that the Natives should not be allowed to vote till they had paid rates, and had their names placed on the roll. Natives holding land in severalty, and having grants for the same, will be entitled now to have their names placed on the roll, and be able to vote. I therefore approve of this Bill, because it is on a different footing and better than before. I thought that I had better say something on the Native qualification as introduced into this Bill, having disapproved of the last.

The Hon. Mr. P. A. BUCKLEY.—Sir, I intend to follow the example of the honorable gentleman who preceded me in making a few remarks in reference to this measure. I may say at once that I intend to support the Bill, and probably I shall propose some amendments in it when it goes into Committee. There is scarcely any one in this Council, Sir, to whom I listen with greater pleasure on every occasion he addresses the Council than my honorable friend Mr. Waterhouse, because of the exactness which generally characterizes his information; but he has been most unfortunate upon this occasion in referring to Belgian and Italian "Liberals," as supposing that the expression in those coun-

Hon. Mr. Waterhouse

tries, of which I know something, has the same meaning as is attached to it in every English community. The term "Liberal" in Belgium has as much resemblance to what it is understood to mean in this country as chalk has to cheese. "Liberal" in Belgium means simply this: an individual who, acting upon some principles contrary to the Church, is opposed to what is called the Clerical party. That is the exact meaning of that expression in Belgium, and I trust this Council will not be led astray because the so-called Liberals of that country are opposed to the extension of the franchise. Italy is a sadder example still, about which I say nothing. My honorable friend says that the object of this Bill is to throw the balance of power into the hands of the working-class—a certain class of people.

The Hon. Mr. WATERHOUSE.—I said, a class numerically the strongest.

The Hon. Mr. P. A. BUCKLEY.—Perhaps I am wrong. The expression, as far as I remember, was, that the object of the Bill was to throw the balance of power into the hands of the people. If I am wrong in the expression I will not repeat it. That is how I understood my honorable friend when he said that the object of the Bill was to throw the balance of power into the hands of the people.

The Hon. Mr. WATERHOUSE.—My honorable friend misunderstood me. I was very careful to use the words "into the hands of that class numerically the strongest."

The Hon. Mr. P. A. BUCKLEY.—Very well, Sir: "that class numerically the strongest" means the people. This is no abstract question. The people of England—of this country from the very date of the Constitution Act—from time to time, through their representatives, have been endeavouring to extend the franchise so as to have themselves heard in the assemblies of the people. From the very first that has been the case, from the time when, from a British King, that Grand Charter to which we point was wrested by the people, by their representatives; and I will only cite as an instance the result of last election. The people of this country have asked for this, and it matters little to us which Government introduces a measure of this kind. The people have asked for it, and have the right to obtain it; and in this sense I shall support this measure as far as I possibly can.

The Hon. Mr. WOOD.—Sir, I am not going to detain the Council by a speech on this occasion. The question of triennial Parliaments, which has already been settled, and this question now before us, embody principles which I have advocated for a considerable number of years past. I have incurred a great deal of ill-feeling in consequence, and a considerable amount of abuse, from those holding different views, from time to time. I am very glad now that the people are about to obtain what I have always looked upon as their rights in these matters. It is impossible to say exactly what will be the result. Some gentlemen hold the view that the Bill passed a few days back will have quite an opposite effect to what is generally expected. I am prepared to admit that if elections become very costly and frequent

it may have a bad effect in keeping out one class of the community who are anxious to have their full share of representation in Parliament. I trust it will not operate badly. The measure now before us is not open to any doubt of the sort. Whatever complexion it may give to political feeling in the House of Representatives, it is the will of the majority of the people: I think that should not be forgotten. I shall support the second reading.

The Hon. Captain FRASER.—I wish to say a few words in corroboration of what fell from my honorable friend Mr. Waterhouse. I may say that I have passed some of the happiest days of my life in the southern part of Italy, where there are fifty thousand lazzaroni, and they, with the brigands of the Abruzzi and Sicily, if they got the franchise would all vote for the Church and the old régime.

The Hon. Mr. TAIAROA.—Sir, I will say something upon this Bill in reference to what has fallen from the leader of the Government. I am very glad to hear that he approves of the proposal to increase the number of Native members in the other House. This has always been my wish, and now the Hon. Mr. Whitaker says it is his desire that it should be so. When the honorable gentleman was in the other House I frequently heard him say the same thing, that he approved of the number of Maori members being increased. He then said he would endeavour to increase the number. Some time afterwards he became a Minister, and I brought in a Bill to increase the number of Maori members. I cannot be very certain, because I do not recollect exactly how the votes went upon that occasion, but I have an idea that he voted against me. I say, therefore, if an honorable gentleman says one thing, he should abide by it. He should not say one thing and do another. A Bill will possibly come before this Chamber shortly to increase the number of Maori representatives in the other House. I am of opinion that the Bill now before us is very much like the one introduced by the late Government. The only difference is where it is made necessary for the Natives to register themselves. What I disapprove of in the subsection with regard to the Native qualification is where it says, "who is seised in severalty of a freehold estate." This is, I consider, even worse than it was in the former Bill. I will explain what I mean. Possibly in some cases a hundred Natives may own a certain block of land. If the clause is allowed to remain as it is, those Natives will not have power to register themselves or become voters. If that is to be the law, I think it would be much better that the Government should cease to purchase Native lands altogether, where a number of Natives are concerned in a block. Let them wait until the land has been properly subdivided and it is known what is the share of each Native, and then let them buy the land. I consider that neither branch of the Legislature is sufficiently careful in dealing with affairs that concern the Natives. The Government advances money on blocks of land the title of which is not very clear. I am not altogether understood, perhaps, but I

will explain. If there are a hundred claimants to a block of land, and one of them chooses, he can get an advance upon the block, although the others may not approve. That shuts out a number of people who have a claim to the block. That is to say, through the action of one claimant the whole block becomes pledged to the Government. If this clause is to stand as it is now, the Native Land Court should set to work and subdivide the land, so that the Natives may know what they have got. Let it be divided properly, so that each Native may get his proper share. I think, therefore, it would be wrong if this were allowed to stand, and at the same time to allow one Native to obtain advances, thus shutting out all the others who are interested in the block from the franchise. I do not disapprove of the Bill as a whole. It is simply these few words I object to, and in Committee I shall perhaps try to get them remedied. There is one other thing also I do not altogether approve of, and that is the six months' residence qualification. If that is to be so, why not let the Maoris have two or three votes, as they are the proper owners of the soil? People simply come out here, and because they have resided in the district for a time they can vote: then why not the Natives, who are the owners of the soil? Foreigners, and so on, come here and reside in the colony for a short time, and they have votes given to them. Why should not the islanders who came here before, and who have been living here a long time, have votes? There are several of these people in the Middle Island who are not allowed to avail themselves of the franchise.

The Hon. Dr. POLLEN.—Sir, the most gratifying circumstance to me in this debate has been the disappearance from it altogether of any trace whatever of our old friend "the serf." The down-trodden serf has vanished, like Professor Jonas's ghosts, and he no doubt will be locked up with the mirrors and lime-light in the boxes in Tinakori Road, to be produced, perhaps, on a future occasion. I am very much pleased that he has not troubled the Council on this occasion. I listened with very great pleasure to the eminently practical speech of the honorable gentleman who introduced this Bill. He has very properly described it as being simply a consolidation of the electoral laws of the colony. He has not pretended that it is going to widen the franchise in the sense of multiplying electors; on the contrary. I have before expressed in this Council my belief, and now repeat, that the effect will be not to increase the number of electors on the rolls, but, by careful registration, to reduce that number very much. The franchise will be carefully restricted to those persons who, under this Bill, will be entitled to it, and who are disposed to qualify themselves to exercise their right. Any one who has looked at the electoral returns presented to this Parliament during the present session must have been struck with the anomalies that now exist. I hope in the future we shall not find, as we now find in certain electoral districts of the colony, two or three times as many registered electors as there are adult males. In that

Hon. Mr. Tairaroa

respect I think the measure is an eminently practical one, and a great improvement on the existing legislation. The whole tendency of colonial legislation, since the introduction of the Constitution Act in 1854, has been in the direction of extending the basis of the franchise, and giving to every man in the colony who desires it a right to vote. In that respect this measure may be regarded simply as the complement of past legislation. It is not, in that sense, a great liberal measure for which any one can take credit; but is a rational measure which simplifies the franchise, and which will have the effect of doing away with a great many abuses of the right of voting which at present exist. The clause which relates to the Maori franchise I understood my honorable friend to say was accepted as a kind of compromise for the proposition of the Government—namely, that there should be increased special representation of the Maoris, and no power on their part of voting in election of Europeans. The provision as it now stands will give no extension of the special representation, but gives the ratepayers' and the freehold franchise to Natives. My honorable friend Mr. Wi Tako, and other thoughtful men like him, believe that the existing condition of affairs is the best for the welfare of the race in which they are most interested, and that it is the desire of the Natives whom my honorable friend represents that for the present nothing should be done to extend the special representation they already enjoy. I will not detain the Council longer, and have only to say that I shall have much pleasure in supporting the second reading of the Bill.

The Hon. Mr. G. R. JOHNSON.—Sir, I should like to say one or two words upon this Bill. I quite agree with the remarks of several honorable members who have spoken upon the subject; and I think it is a very good Bill in this respect, that it consolidates the law relating to the qualification of electors, and so simplifies it that persons can with very great readiness ascertain who are and who are not entitled to have their names registered on the rolls. I should, however, have liked to hear something as to the manner in which the names are to be registered. One great reason why a measure of this kind is required, making an alteration in the qualification, is that the existing system for the registration of electors is so faulty. There are faults in many directions. The difficulty of conveying the application to the Registration Officer is one great fault, and another is the difficulty of ascertaining the time at which the applications are to be sent in. Now, I notice, in the 3rd subsection of the 2nd clause, that—

"The expression 'registration of his vote' shall respectively mean the day on which any person lodges his claim to vote with the Registration Officer, or the day on which the Registration Officer places the name of any person on any electoral roll, under the provisions of any Act for the time being in force for the registration of electors."

If the law of registration remains as at present, it will confine the registration of votes to the three months—January, February, March—during which the registration now takes place.

Therefore I should like to know whether it is the intention of the Government to introduce an alteration in that respect. It seems to me that clauses 3 and 4 would be better introduced into the Disqualification Act. Clause 3 relates to persons who shall be members of the House of Representatives, and I think clause 4 would appear more properly in the Disqualification Act. I am glad to see this Bill introduced for consolidating the law upon this subject: at the same time, I should prefer hearing some indication as to the intention of the Government in regard to the registration of votes, as several of the qualifications in the 2nd clause will depend very considerably upon the method which is adopted for the registration of votes.

The Hon. Mr. LAHMANN.—The importance of the measure before the Council justifies me in making a few remarks in regard to it. I am heartily glad it has been introduced, because I think it is in accordance with the spirit of the times that a measure of this liberal character should be passed. It is not at all too early to deal with this subject: in fact, we must be prepared to go even a little further than the present measure goes. I could have wished that the property qualification had been left out altogether, so that the elections might be conducted under one simple qualification. The time will come when we shall have to submit to that, and I do not think the country will be any the worse for it, for we should then, I assume, educate the people to a proper conception of their duty. It is singular that one of the most liberal members of this Council, the Hon. Mr. Waterhouse, drew comparisons between the lazzaroni of Italy and the ignorant people of Belgium, and a people like the English people, who have been accustomed to liberal measures from time immemorial. Now, that certainly was a strange comparison, when it is considered that those people have only recently had the advantage of anything like liberal measures. I consider it would be unfair even to draw a comparison between the people of England and the people of Belgium, where great numbers of the lower classes are under the influence of the priests. As for the lazzaroni of Italy, they have no public opinion at all. I was very glad to hear many members of this Council say that no exceptional legislation should be given to the Maori race, but that they ought to be treated like every subject of Her Majesty. I am sorry it is proposed to treat the Maoris differently from the European population. However, I shall give the Bill my most hearty support.

Bill read a second time.

DISTRICT COURTS BILL.

The Hon. Mr. WHITAKER, in moving the second reading of this Bill, said its object was to cure one or two small defects in the existing Act. There was nothing of importance in it, and he would therefore move the second reading without further remark.

The Hon. Mr. WILSON said he had one or two amendments to propose, which he would submit to the honorable gentleman before the Bill was committed.

The Hon. Sir F. DILLON BELL said they had already had before them one Bill to amend the District Courts Act, and now they had another. This was the result of allowing private members to introduce Bills which affected the jurisprudence of the country. The Legislature ought to insist that no amendment of the main laws of the country, particularly those which affected the administration of justice, should be introduced by private members. These amendment Bills were brought forward and passed in the other House on private members' days in a hurry. Members of that House did not pay very great attention to them, supposing the Government would, as a matter of course, check attempts to interfere with the general Statutes in that way. As this was the second Bill amending the District Courts Act, he hoped the Government would not, in future, encourage private members to bring forward such Bills. If amendments were wanted in general Statutes upon important State subjects, he held it was the duty of the Government to insist upon it that members who wished to make such amendments should submit them to Ministers, who, if they thought them to be in the interest of the country generally, should bring them down on their own responsibility. Members of Parliament had enough to do without taking the responsibility of the Government upon themselves in matters of this kind, and without having the duty continually cast upon them of examining amendments proposed to be made in the general statute legislation by private members. He hoped the Attorney-General would not look upon his remarks as an impertinence, but would assure the Council that, while he had the responsibility of conducting Government measures through Parliament, he would check legislation of this kind being introduced by private members.

The Hon. Mr. WHITAKER would have thought that his honorable friend's experience in the other House would have told him before this that the Government had no control over private members bringing in Bills, and in many instances had no control over carrying them. Bills not brought in with the consent of the Government, but against their wish, were often carried in spite of any opposition the Government might have offered. As for asking him to control the bringing in of Bills in the other House or in this House, it was quite beyond his power. He might oppose those Bills, but that was all he could do. Under the Standing Orders private members had a right to introduce what Bills they thought proper, and they would carry them from time to time in defiance of whatever the Government might do.

Bill read a second time.

MINERS' RIGHTS FEES REDUCTION BILL.

The Hon. Mr. WILSON, in moving the second reading of this Bill, said its object was to reduce the dues payable on miners' rights from the sum of £1 to 10s. This Bill was intended to apply only to the South Island gold fields, the North Island gold fields being dealt with by a separate

Act altogether. The reason for asking for this reduction was the fact that the mining interest had been in a state of no great prosperity for some time past, and the payment of this due had been found to be, in some cases, very onerous. The Bill ought to be received favourably by the Council, on the ground that every person interested concurred in it. The whole of the Gold Fields members supported it: the Government, he understood, offered no objection. The dues payable under the Act were not part of the colonial revenue, but went to the local bodies, and he believed the local bodies were favourable to it. He had before him a report of a meeting of the Westland County Council, which passed a resolution that it was advisable to reduce the price of miners' rights from £1 to 5s. Although there was a reduction made by the Bill, it did not follow that there would be any actual loss, because it might be conceived that more rights would be applied for when the dues were reduced. An honorable gentleman asked why this measure was to be only applicable to the South Island. The North Island gold fields were under "The Gold-Mining Districts Act, 1873." If that was not the case, he would insert a clause stating that the Act did not apply to the North Island.

The Hon. Dr. POLLEN would like to say a few words respecting the Bill, and would conclude with a proposition regarding it. The honorable gentleman had spoken of the parties interested in this question as being the Gold Fields members. Admitting the interest which Gold Fields members might have in a question of this kind, there were very much larger interests than the political interests of those honorable gentlemen affected by this measure. As honorable gentlemen would probably remember, those fees had been made, under the Financial Arrangements Act, local revenues, and they formed, in very many instances, the greater part of the revenue of those counties in which the gold fields of the South Island existed. His honorable friend told them that the operation of this Act was confined entirely to the South Island. He was not at this moment prepared to say that that statement was inaccurate, but he believed it was. He believed the terms of "The Mines Act, 1877," were general, and that they would include miners' rights issued in all parts of the colony. Although the interests of local bodies in the South Island might be different from the interests of local bodies in the North Island, there was between the two a link of resemblance which ought not to be lost sight of by the Council. There were, in both cases, Native interests concerned. There were in the North Island, as well as on the west coast of the South Island, gold fields in which the revenue derived from the miners' rights belonged to the Native owners of the land; and the proposition now made by this Bill was that, without any reference to the local bodies particularly interested, or to the Natives, who were also particularly interested, the Assembly should at one stroke violate contracts made with the Natives, and take away from local bodies one-half of their revenue on which they had calculated, and on which, no doubt, the expenditure for the current year had been based.

Hon. Mr. Wilson

That was the general condition of affairs. With respect to the North Island, it was, if one might venture to use the expression, still more "mixed." The conditions under which the gold-fields revenue in the North Island gold-fields districts was derived were very peculiar. The land in the greater portion of the mining districts belonged to the Natives when the agreement was made that the receipts from miners' rights should be paid over to the Native owners of the district. Since that time very considerable changes had taken place in regard to the proprietorship of the land. In some cases the Government, and in other cases private individuals, had become proprietors of the gold fields. So that the interests which originally belonged to the Natives had been divided; and now the Crown itself, those persons deriving revenue directly from the Crown, the counties in which the gold fields were situated, the Natives themselves, and the private individuals who derived their rights from the Natives, and who were in receipt of revenue from miners' rights, might find themselves, without notice or intimation of any kind whatever, by a single stroke of the pen as it were, deprived of half their revenue. The proposition was a most monstrous one; and how the representatives of the people in another place could permit such a Bill as this to be passed, and could allow a gross injustice of this kind to be attempted to be perpetrated against individuals of both races, and against the local bodies, was more than he could understand. He hoped he had made plain what it was that his honorable and learned friend asked the Council to do; and, in order that the opinion of the Council might be tested, he would move, That the Bill be ordered to be read a second time that day six months.

The Hon. Mr. P. A. BUCKLEY was pleased to see the amount of sentiment which the Hon. Dr. Pollen had introduced into this matter. One would suppose that the local bodies were to suffer considerably through this proposed reduction of the amount charged for the miner's right. He thought it would be admitted by every honorable member that no one contributed more to the revenue of the colony than the miner. He had to pay considerably more for the necessities of life than any other person, and his gold was taxed after he had mined it; and his representatives now asked on his behalf for a reduction in the charge of £1 which he had to pay every year. He was assured by gentlemen of experience that the revenue suffered considerably from the fact that very often miners did not take out miners' rights until they had to enforce a right as against some other individual, and that this reduction of 10s. would be a great boon to those poor people. He was also assured that the revenue would not be decreased, because many men who did not now take out miners' rights would do so if the charge was only 10s. A great deal had been said about the hardship that would be inflicted upon local bodies. This measure had been brought in by a gentleman of some experience, who was, he believed, Chairman of a local body, and it might be said that he had some reason for introducing it—that the local body

with which he was connected might have expressed some opinion about this. But he (Mr. Buckley) was assured that the whole of the Gold Fields members in the other branch of the Legislature had voted for this Bill. They surely ought to know what was good for the miners, and ought to know more about the matter than the Council could be supposed to know. He was very much pleased to hear the extract read by the Hon. Mr. Wilson from the proceedings of a meeting held at Hokitika, which showed that the opinion of those who had had some experience in the affairs of gold-mining districts was favourable to a far greater reduction than the Council was now asked to assent to. Under these circumstances, and believing that the revenue would not be decreased by the proposed reduction, he would vote for the second reading of the Bill.

The Hon. Mr. REYNOLDS would vote for the amendment. The honorable member who had last spoken said that the gentleman who introduced this Bill into the other branch of the Legislature was thoroughly conversant with the subject, and was Chairman of a County Council. But he (Mr. Reynolds) found, from the Order Paper, that the same honorable member had tabled a motion to the effect that the subsidies to local bodies should not be discontinued. In fact, he had heard it said by some of the representatives from the gold fields that it would be impossible to do away with the subsidies, inasmuch as the local bodies on gold fields would then have nothing to carry on the public works within their districts. Now, the miners' rights fees were entirely local revenue, and he thought that, when they were levying additional taxation throughout the whole of the colony, they would certainly not be justified in relieving any class from taxation, especially when it did not go into the colonial chest. He was disposed to deny that the miners paid more to the revenue than any other class. This was an assertion which had been made over and over again. But he knew, at any rate, that mining operations had caused considerable destruction to property and to Crown lands in the Province of Otago; and he was aware, also, that large expenditure had been involved in consequence of the miners coming to Otago. He was not saying that they had not done good to the colony, but he could assure the Council that the existence of the miners had been productive of no pecuniary benefit to the provincial chest of Otago; because, before the breaking-out of the gold fields, the Province of Otago had somewhere about £35,000 lying in the bank to its credit, and within less than two years, or thereabouts, there was an indebtedness of £650,000. While the colony was reaping great benefit from the gold fields of Otago, the Provincial Treasury suffered a loss. However, he was not one of those who disparaged the advent of the miners to the colony. Far from it; they had done the colony good: but he held, on the other hand, that they had received full justice at the hands of the colony, and that it would not be any injustice to them to refuse to pass this Bill. If the money were going into the colonial chest there might be some reason why their representatives should ask for

this reduction; but, seeing that it went towards their own local expenses, and that it was stated that without the revenue the local bodies would not be able to carry on public works in their own districts, he thought the Council would not be justified in agreeing to this proposal. If they consented to the reduction they might depend upon it that sooner or later there would be some claim made upon the Treasury for assistance by the gold-fields districts, and the colony would have to find them the means of maintaining the district roads within their counties.

The Hon. Colonel WHITMORE thought the honorable member was trying to generalize from the case of Otago. The honorable member was much better informed on the point than he was, and he would grant that the year before the outbreak of the Otago gold fields there was a credit of £35,000 in the Otago chest. But a couple of years afterwards there was another feature in the finance of that part of the country, which arose not entirely from the gold fields breaking out, but because, in the meantime, the finance of that province had been manipulated by the author of that policy which had gained for this country the *soubriquet* of the "great loan land." That he believed to have been really the cause why the indebtedness of that part of the country grew until it amounted, before the province hoisted its burdens on the shoulders of the colony, to about £1,750,000.

The Hon. Mr. REYNOLDS might be permitted to correct the honorable member. The gentleman to whom he referred had nothing to do with the affairs of Otago until years after it got into debt.

The Hon. Colonel WHITMORE said, then the honorable gentleman's figures were not quite correct. He had a perfectly clear recollection that the big debt to which the honorable gentleman referred was incurred not long after, but shortly after, the advent of the gentleman alluded to in political life in Otago. However, he would not dispute the matter with the honorable gentleman further than to say that he did not think that the extravagance of any provincial district ought to be a reason why the miners should not be fairly listened to in a matter of this kind. It had been put before them on the penny-postage principle—that if they reduced the sum there would be more miners' rights taken out. These people were pecuniarily interested, and they said they wished to alter the law in order that they might get a larger revenue, or, at all events, that they might give a relief which they pointed out would not hurt or in any way diminish their finances. They were far more interested than the Council was in this matter, and honorable members should pay very great attention to what they said. The interests represented by the Westland County Council, and by the County Council of Vincent, and he thought he might say also by the Lake County Council, which was acting with the gentleman who introduced this Bill—these interests were the great bulk of the gold-fields interests of the South Island; and, with regard to the North, it had already been arranged that a special clause might be inserted

to bar the application of the Act. The only other argument that had been urged to induce the Council to dissent from this Bill was, that it might affect the interests of the Maori race in the South Island. He thought the difficulty in that respect could be met in a much better way than by ordering this Bill to be read a second time that day six months. Let them put a special proviso in the Bill that, where the interests of the Maoris were affected, they should continue to enjoy whatever they had been already promised, by agreement or Statute, as the case might be. He felt sure they might easily introduce such words as would effectually protect the Maori interests, whether situated in the South Island or the North. There remained, then, only the interests of the districts. The districts in which these mining communities lived, he believed, might be proved to almost depend on the miners—the great bulk of their revenue was derived from the miners' rights and gold duty. The gentleman who introduced this Bill was at the head of a County Council which had at its disposal a revenue, arising chiefly from such sources, as large as the entire local revenues of the Province of Auckland; and, as these miners' rights did not in any way affect the subsidies, he (Colonel Whitmore) did not think they should be considered together. He had not got the subject at his fingers' ends; but he believed it might be proved that the subsidies to those districts were in proportion less than the subsidies given to districts in which there were no mining interests whatever. Therefore he could not see why the question of the subsidies should be brought up in the consideration of this question at all. The Hon. Mr. Reynolds said that, as they were going to put on a very large measure of taxation, this Bill ought not to pass, although if the revenue had been coming into the colonial chest direct he would see some reason for assenting to it. He (Colonel Whitmore) would just argue in a contrary way. If the colony was in great need of money, and was going to tax the community, they should hesitate very much before relieving the people from any taxation which the colony was at that moment levying; but as it was for local purposes, and as the people of the localities most concerned were the people who asked for it, he could not understand on what principle they should refuse it. The honorable gentleman then said that, if they did that, the districts would come some day and demand assistance in the making of roads. All he could say was that, if they did, there would be a perfect answer to them in the Bill brought in at their own instance. Here was the Bill, with the name of the Chairman of the Vincent County at the head of it, and that should be a sufficient answer. As to the miners, they could not make anything like the wages they used to make; and, when it was remembered that the indirect taxation upon them was greater than was paid by any other portion of the community, they ought to give them some consideration in this matter. It would be unfair to the mining districts if they were refused this relief. He hoped the Hon. Dr. Pollen would not persist in his amendment.

Hon. Colonel Whitmore

Possibly the honorable gentleman's objection to the Bill could be overcome if he were satisfied that it should not apply to the Thames and some portions of the West Coast; and, if a clause to that effect were proposed, he might offer no opposition to it. He hoped the honorable gentleman would allow the Bill to pass.

The Hon. Mr. LAHMANN hoped the Council would agree to the second reading as a mere matter of justice to the mining community. He used the word "justice" because the Hon. Mr. Reynolds had misapplied the word by saying that in justice to some one else they ought not to pass the Bill. It seemed to him that it would meet all objections to the Bill if it were made to apply to the South Island only. He was not aware that there were any Maori rights in the South Island.

The Hon. Dr. POLLEN said there was an Act in existence which constituted a gold field on Native land, and provided that the moneys derived from the sale of the miners' rights should be paid to the Native owners of the land.

The Hon. Mr. LAHMANN said he had lived on the West Coast for sixteen years, but not a single case of the kind had come under his notice, nor had any claim ever been made on any County Council for any receipts from the sale of miners' rights. However, if the Bill were made to apply only to the South Island, the Maori rights in the North Island would not be interfered with. The Hon. Mr. Reynolds said that in justice to the local bodies interested they ought not to take away the receipts from miners' rights; but the local bodies were in favour of the Bill, because they knew that it would not diminish their receipts. At present more than half the miners did not take out miners' rights, and it was only when they had to go to Court to seek some redress that they were compelled to produce a miner's right. If the price were reduced to 10s. it was only reasonable to expect that half as many again would take them out, many miners being unable to afford the pound. The miners, as a class, were more heavily taxed than any other portion of the community; and, as the Hon. Mr. Buckley had explained, they had contributed more than a million sterling of gold duty, independently of the other taxes they paid. The returns showed that they were large consumers of dutiable goods, and contributed more to the consolidated revenue than any other class. He remembered a calculation being made, which showed that fifteen thousand people on the West Coast contributed £100,000 per annum to the revenue. It was said that before the gold-miners came to Otago the Provincial Government had a balance to its credit, and that if no gold had been discovered it would have a balance still; but if it had not been for the gold discovery would Dunedin be the fine city it was now? He thought not. It would still be the fishing village it was then. He hoped the Council would pass the Bill, and do an act of justice to the gold-mining community.

The Hon. Captain FRASER said he had the greatest respect for the miners, and, if necessary, would defend their rights in that Council or elsewhere; but from what he knew of the miners he knew that if a reduction in this direction were

wanted it would be petitioned for. But there had been no petitions for this reduction. It was very easy for a member to curry favour with the miners by bringing in a Bill of this sort upon his own responsibility; but if they passed it they might be doing a great injustice to the miners. They might say, "We did not ask for this; we don't want it." Some sessions ago he wanted to get the gold duty reduced; but the miners were very averse to it, and it was only a year afterwards that they changed their mind. It might be found that if they did away with the miner's right they would do away with all his privileges; or if they reduced the right to one-half they would reduce his privileges to one-half. He could not support the Bill. If there had been a single petition in its favour he would have supported it.

The Hon. Mr. WATERHOUSE regretted that the Hon. Colonel Whitmore should so frequently impute party motives for the action taken by honorable members in the Council.

The Hon. Mr. WOOD rose to a point of order. The Hon. Colonel Whitmore was called to account for attributing motives. The Hon. Mr. Waterhouse was now imputing party motives to the honorable member. The term, at least, was objectionable.

The Hon. the SPEAKER heard nothing out of order.

The Hon. Mr. WATERHOUSE regretted that the Hon. Colonel Whitmore so frequently thought the course taken by members was influenced by party spirit.

The Hon. Colonel WHITMORE said the honorable gentleman had a perfect right to criticise anything he said. He did not impute motives to him, and said nothing of the sort. He alluded to no party.

The Hon. Mr. WATERHOUSE was somewhat amused at the disclaimer of the honorable and gallant gentleman. It was apparent in every discussion that he regarded honorable members who differed from him as more or less actuated by party feeling. If the honorable gentleman wished the Council to believe that he did not labour under such an idea, he would gladly receive his disclaimer. It was his intention to vote for the amendment, in the interests of the miners themselves. If they passed the Bill they would be doing the miners a very serious wrong. They would be interfering very seriously indeed with revenue absolutely necessary to the County Councils in order to the efficient discharge of the duties which the Legislature had devolved upon them. They could not overlook the fact that the subsidies must necessarily shortly be withdrawn, and the further fact that the taxation to which they would be subjected, to meet demands made on them in connection with the carrying-on of the General Government, and the pressure of their debt, would make them the most heavily-taxed community on the face of the earth. Under these circumstances there was no reason to believe that, however willing the Parliament of the colony might be to grant assistance to County Councils, it would be in a position so to do. If they took away this amount from the County Councils, they

would effectually debar those bodies from effecting improvements absolutely necessary in the interests of the miners themselves. If Parliament laid itself open to the charge which the Hon. Captain Fraser said might be brought against it by the miners, of doing an injustice to them by removing from them a source of revenue which they never asked to have removed, they would be entitled to come to Parliament and claim the amount which it withdrew from them. He did not wish to go into the other questions that had been raised in connection with this Bill. He thought the miners did credit to the colony, but he did not say that they contributed more to the revenue than any other portion of the community. If he did say so, he would not be stating a fact. Had they greater appetites or did they drink more or smoke more than navvies, or shepherds, or shearers, or other working-men? Unfortunately it was the case that nearly all those classes spent the whole of their earnings, and, the miners not having, as a rule, larger incomes than the people he referred to, they were not in a position to spend more. There was a time when it was different—when on the gold fields there was an expenditure disproportionate to the population; but that was in the height of the gold fever, when a large number of people were congregated in the towns, and, being actuated by a gambling spirit, spent money very freely. That had passed away, and, to the credit of the miners, gold-mining had become a settled industry. But they should not exalt the miners above their merits, and he was not prepared to admit that the miners were superior to other portions of the labouring-classes scattered throughout the country. In the interests of the miners themselves he felt bound to support the amendment.

The Hon. Sir F. DILLON BELL said, if it were true that the mining population were more heavily taxed than other people in the country, he would be only too glad to contribute any help towards relieving them from that extra taxation. But, in all the years that this statement had been made, it had always struck him as a most extraordinary thing that there should be found men of intelligence, well acquainted with the law, and able to take a leading part in the affairs of their districts, who should still harp upon that long unsounding string. What was the taxation imposed on the miner? He was called upon to pay £1 for a miner's right. But did any one mean to say that the miners' rights did not confer on them great privileges? Instead of being taxation, it was a gift conferred upon them. The miner's right gave to the holder the right to come in and take possession of any Crown land if it were only within a proclaimed gold-mining district, whether that land was in the occupation of any person or not, so long as it was not a garden, orchard, or place where a house was situated. The miner not only took possession of the land, but closed it against everybody else. In one district which he knew, upwards of a thousand acres of fine agricultural land, which people were most anxious to get hold of, was in the possession of one or two miners: his own personal interest was not

affected, because under no circumstances whatever could he be beneficially interested in the land on account of the operation of the law itself: but in this instance the holders of miners' rights were occupying a thousand acres of agricultural land, and shutting it up merely for the purpose of digging a small quantity of gold. They were occupying Crown lands in a large part of the Middle Island at their will and pleasure. Every other interest, every other trade and occupation, was made subordinate to the potent operation of the miner's right. How then could it be said that the miner's right was taxation? On the contrary, it was the price of a privilege which was worth a great deal more than the money paid for it. He did not wish to say a single word against the mining population: on the contrary, so far as his experience of the mining population of Otago was concerned, they were as intelligent, well-behaved, orderly, and valuable a class as any in the whole community: and speaking of the miners as labouring-men, they deservedly held a very high place; and he was not actuated by any want of due consideration towards them. He would ask the Hon. Mr. Wilson to reconsider the statement he made, that the Bill was only applicable to the South Island. He thought there was considerable doubt about that. It was quite true that his honorable and learned friend was willing to get over the doubt by inserting a clause limiting the operation of the Bill to the South Island; but that really constituted his chief objection to it. No reason had been shown why the miners of the South Island should only pay 10s., while the miners of the North Island should continue to pay £1. If they passed the Bill, they would certainly be applied to next session by the miners of the North Island to make the same reduction on their behalf, and Parliament would be obliged to give way. An observation fell from the Hon. Colonel Whitmore which deserved the consideration of the Council. He said the inhabitants of the districts affected by this Bill were the best judges of what concerned them, and therefore they were fairly entitled to ask for this relief. If the honorable gentleman had continued to be a member of the Government, he did not think he would have held that language, because, after all, if an argument of that kind on the subject of taxation was to hold water at all, why should it not hold water everywhere and on every occasion? What particular reason was there for the miners to be singled out, and to be permitted to ask for relief from taxation, when every other class in the community was asked to pay an enormous new taxation? It was very true, as his honorable and gallant friend had said, that this was local revenue; but they all knew that the subsidies would have to be withdrawn, and then how was the ordinary business of the county organization to be kept up if they reduced any of the revenue of the local bodies? He would tell them what would happen. What did they see in the newspapers? What did they see in the results of the discussions which had taken place in the other House of Parliament? They had seen that there were members representing gold-fields constitu-

Hon. Mr. Waterhouse

encies who, somehow or another, contrived to get an advance of £1,000, a grant of £1,000, a loan of £5,000, from the Government of which the honorable and gallant gentleman was a member, without any vote or authority from Parliament. And they had found that some Gold Fields members were enabled to apply the taxation which was derived from other classes of the community to their own benefit, without the knowledge or consent of Parliament.

The Hon. Colonel WHITMORE said the honorable gentleman should not make statements of that kind without being familiar with chapter and verse. The advances he alluded to were only made on account of subsidies.

The Hon. Sir F. DILLON BELL did not know how it happened that these advances were made to one County Council—

The Hon. Colonel WHITMORE.—To all.

The Hon. Sir F. DILLON BELL challenged the honorable gentleman to mention any County Council that had received what he called advances to the same extent and in the same manner as Tuapeka. Now, Tuapeka was under the guidance and direction of a gentleman who happened to have been one of the most prominent supporters of the honorable and gallant gentleman. That was a curious coincidence, he allowed. Very likely the one circumstance had nothing to do with the other. But it was a coincidence which struck honorable members who were disposed not to put unlimited confidence in the Government of the day as being curious, that while payments which were due to County Councils and other bodies in Canterbury were withheld, notwithstanding the statement of the head of the Government that most careful provision had been made for such payments, money which had not been voted by Parliament was, apparently with a lavish hand, given—or lent, as the honorable and gallant gentleman said, in the shape of “advances”—to County Councils in which a preponderance of opinion happened to be at the time in favour of the Government of which the honorable gentleman was himself a member. This was not a time to relieve any one from taxation. What would be thought of the condition of the finances in England if a Chancellor of the Exchequer, who succeeded a Government which had been founded upon economical principles, found himself obliged to say, “Gentlemen of the House of Commons, I need not tell you that the taxation of the United Kingdom has been, for the last year, £83,000,000: well, I am sorry to tell you that I am obliged by the condition of your finance to impose a new and permanent taxation to the extent of between £20,000,000 and £25,000,000, of which property is to bear two-thirds”? Why, the House of Commons and the whole country would be aghast. And yet that was the position in which they now were here. They were called upon by the Government of the day—he did not say improperly—to bear a taxation which would be very crushing upon every industry in the country; and they must not, within a few days of being asked to give their assent to taxation so sweeping and so overwhelming in its character, make it the op-

portunity of relieving a particular class. Besides, so far as he could see, the miners would really not be benefited by the remission. He hoped that before the debate closed the Attorney-General would tell them what the Government thought about this matter. It was a question in which the Government were greatly concerned. It was very true that the revenue belonged to the counties; but the Financial Statement intimated that they would have to consider the whole question of local Government revenue in a very short time, and it could not have escaped the attention of the Government that, if at the present moment they struck at the root of a considerable revenue of this kind, they might be seriously crippling their means of dealing next session with the interests of these local bodies. He was sorry to say that he could not consent to the Bill, and would vote for the amendment.

The Hon. Mr. MILLER, in justice to a gentleman whose name had been introduced into this debate somewhat unexpectedly, would take the opportunity of corroborating what the Hon. Mr. Reynolds had said, and of affirming most distinctly that the expenditure on account of the gold fields in Otago was incurred long before Sir Julius Vogel became connected with the politics of that province. Take the item of police, for instance. The police in Otago in the year 1862 or 1863 cost £60,000, and it was found necessary to cut that expenditure down to one-half the amount. Sir Julius Vogel had nothing to do with incurring that large expenditure; he came upon the scene afterwards. Whatever opinion they might hold as to what person was chargeable with the financial cloud under which the colony now laboured, the Hon. Colonel Whitmore was wrong in bringing in Sir Julius Vogel's name in connection with the former indebtedness of Otago. He thought the merits of this Bill had been sufficiently discussed, and would simply say that in his opinion no reasons whatever had been given which should induce them to assent to the proposed reduction of the miner's right. As had been said, the miners themselves did not require it. It appeared to him that if they would not pay £1 they would not pay 10s. If a man could not afford to pay £1 a year for the privilege of digging gold, he could not be expected to pay 10s. He was not very well acquainted with gold fields, although he had seen some of the most important works in Otago, but he was bound to say he did not believe there was any portion of the community where they could see more skill, more enterprise, and more industry than amongst the miners proper. They were one of the very finest class of men we had in New Zealand, and he was quite prepared to admit that the colony owed a great deal to them. But, having borne most willing testimony to all their valuable qualities, he was bound to say that the point of the whole matter had not yet been alluded to in the debate—that, with regard at any rate to alluvial gold fields, after the miner had occupied the land he left it in a condition which rendered it wholly useless and unprofitable. If they must seek for points to bring against the mining industry, that, to his mind,

was one of the most unfortunate points about the whole thing, for a more melancholy sight than a deserted gold field was not to be seen. He entirely agreed with what had been said about taxation. There could be no doubt whatever that the colony was now entering upon a time when it could not spare 10s. out of any pound, and, if they were to give away this sum, they had better ask to have the maximum of the road rates reduced, and every other burden removed which could possibly be got rid of.

Question put, "That the word 'now' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	10
Noes	...	...	...	...	24
Majority against ...					14

AYES.

Captain Baillie,	Mr. Scotland,
Mr. P. A. Buckley,	Colonel Whitmore,
Mr. Dignan,	Mr. Wilson,
Mr. Henderson,	Mr. Wood,
Mr. Lahmann,	Mr. Whitaker.

NOES.

Mr. Acland,	Mr. Miller,
Sir F. Dillon Bell,	Mr. Ngatata,
Colonel Brett,	Mr. Nurse,
Mr. G. Buckley,	Mr. Paterson,
Mr. Chamberlin,	Mr. Peacock,
Mr. Edwards,	Mr. Peter,
Captain Fraser,	Dr. Pollen,
Mr. Gray,	Mr. Reynolds,
Mr. Holmes,	Major Richmond, O.B.,
Mr. G. R. Johnson,	Mr. Robinson,
Mr. Martin,	Mr. Waterhouse,
Mr. Menzies,	Mr. Williamson.

The amendment was consequently agreed to, and the Bill ordered to be read a second time that day six months.

The Council adjourned at fifty-five minutes past nine p.m.

HOUSE OF REPRESENTATIVES.

Friday, 21st November, 1879.

First Reading—Third Reading—Order of Business—Subsidies—Redistribution of Seats Bill—Supply.

Mr. SPEAKER took the chair at half-past seven o'clock.

PRAYERS.

FIRST READING.

Thames Harbour Board Bill.

THIRD READING.

Registration of Electors Bill.

ORDER OF BUSINESS.

Mr. MACANDREW, before the House proceeded to the Orders of the day, would like to ask the Government when the Public Works Statement would be brought down, and also when

the Property-Tax Bill would be circulated, because he thought it would be impossible to have any intelligent discussion upon the Financial Statement before those papers were in possession of honorable members. He thought it would facilitate business very much if an understanding could be arrived at that this discussion should not take place until the House was in possession of all information. He saw by the Order Paper that it was proposed to go into Committee of Supply, but he would suggest that it might be postponed.

Major ATKINSON said the Government did not propose to bring down the Public Works Statement for a few days. He had already informed the House how far the loan had been engaged by liabilities which must be met up to June next; and to-night he had laid before the House a return supplementing that information—a return which, if honorable members looked at it, they would find gave details down to 1s. 4d. He might add that, from a conversation he had had with the engineers, he had learned that it would be necessary to authorize for expenditure within this year, in order to make useful the works authorized by the late Government, a sum of £750,000 beyond what he had already told the House was necessary to meet engagements up to the present time. The House would thus see that the terms of the Public Works Statement must depend upon the amount of money the colony could raise within the year. The financial policy of the Government was before the House and the country in the Financial Statement; and the details and mode of carrying out those proposals were of secondary importance. Honorable members were therefore now quite as able to discuss the broad policy of the Government as they ever would be; but the details would, of course, come on for discussion when the Bills for giving effect to the proposals of the Government were introduced. He submitted, therefore, that the House ought to go on with the financial discussion at once, especially as honorable gentlemen opposite were in the Government but a month ago, and should be aware of the precise effect the Government proposals would have. For himself, he might say he was prepared to hear anything honorable gentlemen might have to say, and to answer them. However, if the leader of the Opposition would prefer to wait for a short time, then let the estimates be gone on with. They had got to be passed, whatever might be the financial policy of the Government; and, as soon as motions of which notice had been given were disposed of, the House might go into Supply and get through with the estimates, Monday or Tuesday being fixed for the financial debate. The desire of the Government was to go on with the business of the country, and to get things settled as quickly as possible; and, while making this suggestion, the Government were desirous of going on with the financial debate at once.

SUBSIDIES.

On the motion for going into Committee of Supply,

Mr. PYKE said,—I beg to move the motion of
Mr. Macandrew

which I have given notice, That this House will not assent to the discontinuance of subsidies to local bodies until other and adequate provision has been made for the continuance and prosecution of local public works. I have decided to take this immediate action because of the importance to the country at large of an assurance being given by the House and by the Government that they do not mean to stop all the local public works in the country. Now, Sir, I say that, rightly or wrongly, the impression has gone abroad, and is working a vast deal of mischief, that it is the intention of the Government to discontinue the subsidies to local bodies after the 31st of March next, and there is no assurance that any adequate provision will be made in the place thereof. It is a mistake for honorable members to suppose that this discontinuance is to apply to counties only. Every Highway Board, every Road Board, every Municipality, as well as every County Council, will be affected; otherwise the matter has not been fairly stated by the Colonial Treasurer. Now, what does this discontinuance mean? It means more than that honorable gentleman grasped, when, in the coolest manner it is possible to conceive, he made the statement he did before the representatives of the country. It means the actual stoppage of all local public works, unless this House and the Government give an assurance that these subsidies shall not be stopped until other and adequate provision is made for the continuance of these works. The honorable gentleman is so wrapped up, possibly, in colonial finance that he cannot understand that there may be another kind of finance equally important to the country, and equally necessary to be cared for by this House when dealing with the question of finance. The honorable gentleman may think the mending of a road is all that these local bodies have to care for. If he does, he makes a great mistake. In my own county, the Council has taken care to spread the expenditure over many years, so that at the present time our contracts will not amount to less than £30,000 for works in progress. And I ask, where is the security to the Council or the contractors if we do not know how this money is to be paid when due? Well, Sir, the honorable gentleman who now occupies the position of Colonial Treasurer is the very last man who ought to have done this. He is the father of the county system; he brought it into operation; he assisted at its birth, and launched it upon the world; and he brought down to this House an Act, the Financial Arrangements Act of 1876, which guaranteed, with the strongest statutory pledges which it was possible for a Parliament to give to the people, that these subsidies should be given for five years. Clause 13 says, "There shall be issued and paid out of the Consolidated Fund during each financial year, for five years after this Act comes into operation, but no longer, the following sums," &c. Therefore, Sir, by Statute, these subsidies should not be discontinued until 1882. Upon the faith of that, the counties have gone into a large expenditure, the Municipalities have gone into a large expenditure, the Road Boards and Highway Boards have gone into a

large expenditure, believing that the honor of Parliament and the Government was pledged to continue these subsidies for five years, and that no endeavour would be made to withdraw them so long as that provision remained upon the Statute Book. And I say it amounts positively, in one word, to repudiation to attempt to withdraw these subsidies until the statutory time has expired. But, Sir, it is not because these local bodies are weak that therefore a Government is to come into office and insist upon crushing them. I do not hesitate to say that a Government capable of doing this is capable of bringing down a measure to repudiate its obligations to the foreign creditor.

Hon. MEMBERS.—No, no.

Mr. PYKE.—Where is the limit? If honorable members say "No," what do they mean? They must mean this: that they will crush the small weak bodies, but have not the courage to crush the strong foreign bodies. This makes it worse and worse. I think the Colonial Treasurer has made a great mistake. If he knew the wrong he was inflicting, I believe he would not have done it. But, as the matter stands, the honorable gentleman has made a statement which has done an infinite amount of mischief amongst local bodies, their creditors, and the ratepayers. It must be decided now what the Government intend to do. It is no use to hold out a transient hope of something which is to be done next year; because in February these local bodies are to meet together to strike their rates. What will they do, not knowing what they are to have from the State after the 31st of March next? The honorable gentleman says—and in this I quite agree with him—"To all those who have given any attention to local subjects it is well known that an amount equal to this large sum must be raised for local works. Striking this item out of the estimates will therefore be no real relief to the country at large, nor will it leave more money in the pockets of the settlers; but the question as to the fairest and easiest means by which the necessary amount can be raised is no doubt open to discussion, and is well worthy the serious attention of this House." Now, Sir, if the honorable gentleman had come down and said all that, and had indicated other and adequate means in the place of subsidies, perhaps I should not have opposed. I do not think subsidies are the best means of assisting these local bodies; I never thought it the best way: but I do ask the honorable gentleman to shadow forth how he proposes to enable local works to be carried on, and not leave us in doubt and uncertainty for any long period. Does the honorable gentleman suppose that a Government is merely for the purpose of paying salaries? Are there no local public works that must be made, whether by subsidies or by votes of this House? I object to the state of confusion which is produced when every member gets up and proposes a vote for a particular work in his own locality. It must be remitted to local bodies to say how money is to be spent in their respective districts. I have consistently opposed every honorable member bringing forward a vote for a local work, and

I have not brought forward a single vote for a local work since the passing of the Act of 1876. This House should not be made the arena for doing parish work, as I term it. The Colonial Treasurer is inflicting a great injustice on the local bodies by proposing to knock off their subsidies without indicating something which is to supply their place. I quite agree with him, and have expressed the opinion session after session, that the Land Fund should not be mixed up with the Consolidated Fund. It should be made a separate and distinct account, available entirely for public works, and should not go in any way to the payment of salaries or any incidental expenses of government. Well, if the Government did get up and say, "We mean to appropriate the Land Fund to public works, and to give all local bodies a certain fixed proportion of the Land Fund in order to carry out local public works," that would receive my assent. I prefer having that to anything in the shape of subsidies. A subsidy is simply a bid to local bodies to induce them to tax themselves in the hope of getting more money out of the Government. If the Government will set the Land Fund aside and devote the larger portion of it for local public works, I, for one, shall be glad to see subsidies done away with. We are approaching a season when contracts will have to be accepted in addition to those already in hand by the various local bodies, and when it will be the duty of the various local bodies to estimate their means, and to calculate what works they can carry out during the next twelve months. Simple as local finance may appear to the Colonial Treasurer, it is of great importance to the local bodies. These bodies cannot wait until next session to see what scheme the Government propose to inaugurate. Whatever scheme may be devised by the Government, it is impossible that they can bring that scheme into operation during the next twelve months. If they intend to abolish these subsidies and repudiate their obligations under the Act of 1876, let them give at least twelve months' notice to the local bodies. I do not wish to speak in any factious spirit, but I ask the Government, in all fairness, to consider the injury that would be done to the local bodies and the injury that would be done to the public works throughout the country. I ask the Government to deal fairly with the various local bodies that are trying to carry out their work in various parts of the colony. I ask the Government to give them an assurance that they are not going to be entirely ruined—that the Colonial Treasurer does not meditate committing infanticide, and destroying his own child. I shall certainly oppose any system of finance having for its object the withdrawal of subsidies until that assurance is given. I will not prolong the debate, but there is one point to which I wish to draw attention. The Colonial Treasurer asked the House in a most serious and solemn manner to refer to Table E, and see what a dreadful thing the expenditure of local bodies was. What do I find in Table E? Expenditure for local bodies, £275,000. Now, look at Table A. What does that say? I want to draw attention to that, Table A says that the receipts from

land sales, pastoral licenses, and so on for the year 1878-79 amounted to £2869,729. It is only one-fourth of the land revenue that has been devoted to the assistance of local bodies. I say that at least 50 per cent. of the Land Fund ought to be devoted to this purpose. The land of the country is the property of all; it is the property of the State. Who are the State? The people comprising the State. Therefore it is my property, and every man's property. No Government has a right to part with this property and deal with the proceeds as revenue. When the Government part with any of the land it should only be on the express condition that the money derived from it should be expended in improving the public estate generally. If the Government are going to take the Land Fund and put it into the consolidated revenue, they will commit a grievous wrong. I deny the right of any Government to part with a single acre of the land unless they apply the proceeds to the improvement of the land itself by providing the means of access thereto. That being the case, there will be no difficulty in letting the Government apply the Land Fund to the improvement of the public estate. I shall be one of the first to assist the Government in abolishing subsidies, and causing a fair proportion of the Land Fund to be devoted to the improvement of the country.

Mr. HALL.—I am rather surprised that the honorable member for the Dunstan should have thought it necessary to propose a resolution of this kind, and still more that he should express such alarm at the Statement of the Colonial Treasurer, because, after carefully reading his resolution and also the Statement of the Colonial Treasurer, I can see very little difference between the two. After announcing the intention the Government have formed with regard to their future dealing with these subsidies, my honorable friend the Colonial Treasurer concludes by saying,—

“The important question of local finances is far too large to go into this session; therefore I will say no more upon the subject now, except, Sir, that the Government fully recognize the fact that it is their duty to submit to this House, upon its first meeting next session, a scheme which shall place local finance on a satisfactory and something like a permanent basis.”

That is not a mere abolition of the subsidies, but it is an indication of a new scheme for placing local finance on a satisfactory basis. The Colonial Treasurer further proceeds to say,—

“And, by satisfactory, the Government understand placing local bodies in such a position as will enable them to obtain, as far as is possible, sufficient funds for all necessary works, while drawing a broad and distinct line between local and general finance; and such a scheme the Government will endeavour to mature before the next meeting of Parliament.”

Now, the resolution of my honorable friend opposite asserts that, before the subsidies are actually abolished, some other provision should be made for carrying on local public works. I understand the statement of the Colonial Treasurer to be precisely the same. If it be true, as the honorable gentleman has said, that the statement of

the Colonial Treasurer has given rise to alarm among local bodies throughout the country, then I think my honorable friend has done good service by calling attention to the subject, and allowing that alarm, wherever it exists, to be dispelled. We do not mean to say that the present state of things can go on. No doubt, with a full exchequer, with taxation pressing very lightly on the people, we might possibly have gone on with a system which in its principle I do not believe to be a sound one. But we have now reached a position in which we must consider whether we should make some alteration in that system, or whether we should increase the additions we are now proposing to make to the already heavy taxation of the country. We cannot, and we ought not to, disguise from ourselves the fact that, if the subsidies are to be continued on their present footing, then we must have an extension of the present proposals for raising additional revenue, and further largely-increased taxation. That is, we feel, one of the best reasons why the present system should be altered. There is another reason. The existing system of subsidies is simple and uniform, but it is not altogether fair. It enables large sums to be given to districts which really do not require them. Especially is that the case with a number of large cities in this colony. Of course I am prepared for a denial of that by the representatives of large cities and suburban districts.

An Hon. MEMBER.—Not all the representatives.

Mr. HALL.—Well, I am prepared for a denial of the statement by some honorable members. But I think, if the question were put to the country at large, there would be a preponderance of public opinion in this direction: that, as the city and suburban districts have, in times past, received a considerable share of public money, and as their roads and other means of communication are fairly formed, they must now begin to depend on their own resources. I do not see the slightest objection to the resolution of the honorable member; and if he has done anything at all to calm the exaggerated apprehension which he says the Financial Statement has created, he will have done good service. Before I sit down I cannot help stating that I heard with great pleasure the doctrine laid down by the honorable gentleman, that it was a wrong thing to apply the proceeds of land sales to pay our ordinary expenses. It is a radically wrong thing. It is the great vice of the finance—I do not wish to raise any disputed question, but of course one cannot well avoid that—I say it is the most vicious feature of the system of our predecessors. The vicious feature was this: that we were taking the proceeds of part of our estate for the purpose of paying our ordinary expenditure. If a private individual were to dispose of a part of his estate and not apply the proceeds to the improvement of the remainder, such a course would land him in the Bankruptcy Court. I am glad, therefore, to find that we have the support of the honorable member for the Dunstan in establishing what we believe to be a better system. My honorable friend demands that we should at

Mr. Pyke

once tell these local bodies what we mean to do, in order that they may not be left in uncertainty. I think he must admit that that is asking rather too much. My honorable friend, and the country generally, have had a tolerably large share of information in the Financial Statement of the Colonial Treasurer. I do not think they can fairly ask in what way it is proposed to provide, further than we have already stated, for the finance of next year. My honorable friend may rest assured that gentlemen on these benches are as deeply interested as he is himself in the carrying-out of local works. I am Chairman of the largest county in the colony, I am Chairman of a Road Board, and I take the greatest possible pleasure in working these local institutions. I know their wants, I know their circumstances, and I know the good that they do. He may rest assured the claims of those bodies will not be neglected by any Government of which I am a member. We have very great pleasure in accepting the motion of the honorable gentleman, and we think he has done good service in bringing it forward.

Mr. SHEPARD.—Sir, in the statement which the Premier has made, and which I am sure will be very satisfactory to all those who are interested in these local bodies, the honorable gentleman did not make very clear one point mentioned by the honorable member for the Dunstan—namely, what these local bodies are to do between the 31st March and the passing of any measure extending to them fresh aid by way of subsidies from other sources than those from which the present subsidies are derived. The probability is, that it may be four, five, or six months after the 31st March before the fresh system comes into operation, and meantime the local bodies will not venture to take any steps that may plunge them into liabilities which they are not certain to have the means of discharging. Further than that, they have not the means, as the honorable gentleman himself must know from the position he occupies in two of these bodies, to raise more than 1s. in the pound by way of rates; and, unless the amount so raised is subsidized, they cannot even keep the main roads in sufficient repair for the ordinary traffic to be carried on. I entirely concur with the Premier that the distribution of the subsidies at present, in proportion to the rates raised, is unfair. I cannot conceive anything more unfair or more mischievous to out-districts than making these payments not proportionate to the wants of the district, but in proportion to the amount of rates raised. The main roads, in many cases, run through sparsely-inhabited districts, and the local bodies, with their shilling in the pound rates, and £2 for £1 subsidies, cannot possibly keep them open. If the present subsidies are taken away at the end of March, the available labour of the colony will be lost, and that at a time of year when it is most necessary that roads traversing wide districts should be put in repair. I hope the Government will, before the session closes, give a definite assurance as to what will be done next year, or, better still, that they will make provision for giving assistance to those local bodies till the end of the old financial year,

the 30th June; and when the House meets a resolution can be passed, in the early part of the session, giving assurance to these bodies that their wants will be provided for. The question is one of very great importance, and I am sure the Premier must himself see its importance. I hope, therefore, he will prevail upon his colleagues to assist him in remedying what would otherwise be a great wrong to the colony.

Mr. GISBORNE.—I should like to call attention to the fact that the system of subsidies according to rates bears very hardly upon mining districts, which practically cannot to an appreciable amount raise rates, and therefore cannot get subsidies, although the miners are heavily taxed for their rights and for the gold duty. I hope, in arranging the new subsidy system, the Government will consider the defect in the present system in regard to mining districts, so that they may be able to remedy it, and do justice to those districts. The mining districts on the west coast of the Middle Island suffer under grievous injury in reference to these subsidies, and especially with regard to the railway policy which has been adopted. Look at what has been done on the East Coast. Railways were constructed by the colony, and those railways relieved the traffic upon the roads, and were therefore a relief to the ratepayers. On the West Coast, as an equivalent for these railways, a certain amount was devoted out of the loan to the formation of what were called main roads. The colony took over the construction of the railways on the East Coast, and made the expenditure a colonial charge; but the roads on the West Coast, which were given as an equivalent for the railways, were made a charge upon the local bodies. Therefore these bodies not only had an additional charge thrust upon them, but they had less additional means provided by the colony to enable them to meet the additional charge which devolved upon them. This question has been brought under the notice of the Government at different times; and I am sure they will appreciate the difficulty when they consider the general system of subsidies which is to be substituted for the present system. I believe the system actually bears hardly upon the ratepayers in settled districts, because the towns which are the richest, and want these subsidies least, get really the most; while the country districts, which want them more, get less; and the unfortunate mining districts get none at all. I approve of the principle that the State should assist local bodies out of land revenue; but, under any circumstances, the system should be adjusted more fairly and regularly, so that those districts which want local works most should get most money to expend, while those which are the richest and want least should get least. I do not want to detain the House, but only to impress these facts on the minds of honorable gentlemen. I hope that, even this year, the Government will be able to consider the question, and give some relief in this respect to the mining districts.

Sir G. GREY.—I should not have troubled the House, Sir, had the Premier not made an attack upon the Government of which I had the honor to be the head; but I think I can convince him

that he was in error in the attack he made. I understood him to say that it is a wrong principle to spend the Land Fund in aid of revenue; and he went on to tell us what would be the state of a private individual who sold a part of his estate and did not apply the proceeds to the rest of the property, so as to make it more valuable. He said that such an individual would have started on a road which leads to ruin. Now, what I would venture to say—and I say it in no unkind spirit, but simply in reference to the attack he made upon myself and my friends—is that he must for a time drop the notions of a country gentleman and rise to the opinions of a statesman. It is quite correct that a private gentleman who sold a part of his estate and did not use the funds derived from that sale for the improvement of his property would be squandering his wealth; but that is not the case with the public estate of a country. We do not sell any part of our estate. What we do is to take land belonging, as the honorable member who moved this motion very justly said, to everybody in the colony—we take a portion of the land that is yielding nothing, and we allow one individual to go upon it, in consideration of his paying a certain sum of money, and to improve it. And as he does so he renders that land valuable. We put people upon the land who become taxpayers, and a revenue is subsequently derived from this process larger than was derived from the land in its original state; and we have parted with no portion of our property. Let us apply the mathematical mode of reasoning by limits to this question; and that will be the clearest way of putting it. Supposing the honorable gentleman is the owner of a large private estate, and he sells portion of it by degrees until he ultimately sells the whole of it and makes away with the money, he will ultimately possess nothing at all; but if we gave the public land away, even for nothing, to persons who would occupy and improve it, we should be adding to our wealth. The person we put upon the property repays to us far more than the original value of the land we nominally part with. When we have, in this way, got rid of all the land, and covered it with a well-to-do population, we are a rich and prosperous nation. Therefore we have a clear right to spend the money which we derive from the land in any way that a young nation may wish. Consequently there is no analogy between the two cases. And I say this: I do not think we should be acting unwisely if, having got good occupiers, we gave them the land for nothing, and thereby began to build up a great nation at once. I am sure, if the House will think calmly and deliberately of the matter, it will see that I am right and the honorable gentleman is wrong, and that using the money derived from the land as revenue is a proper system. It is a matter that does not admit of argument, and I am sure the honorable gentleman must see that himself. I therefore trust the House will come to the conclusion that we did right in deciding that a certain part of the Land Fund should be used in improving the public estate, and generally for revenue purposes. That is a very different thing from parting with portions of a pri-

vate estate, since we only give the money derived from land back to the people. If we use it in this way, or if it is thought advisable to spend some of it in the improvement of our harbours, in the erection of public buildings which the colony wants, and in the maintenance of a police force, for example, in disturbed districts, I say we are making a very wise use of our funds: and we really do not sell our land—we only give a license to occupy under certain terms. We do not part with it: it is still ours, and we make what laws we like with regard to it. The man who gets it must pay certain taxes for it. The land still belongs to us. We are the supreme authority having dominion over it. We tax it and do exactly what we like with it. We can take it back again, paying compensation in a spirit of equity for it, if we want it for public purposes. We do not sell it as a private individual sells his. The whole argument of the honorable gentleman is an utter mistake, and I am sure the House will affirm that we did right in using the Land Fund in exactly the way which was most for the interest of the people of the colony at the time. That is our view, and we have a right to hope that the statesmen in whose hands the destinies of the country rest will follow that course when necessity arises.

Mr. MACANDREW.—I agree with the Premier that the land revenue should not have been made consolidated revenue; but it is not the late Government who are responsible for that. It was the preceding Government—the Government of which the present Colonial Treasurer was Premier—who took the Land Fund. The late Government only secured 20 per cent. for the benefit of the land, and it was rather too bad to twit them with having made the Land Fund colonial, while, in point of fact, the thing was done by the “continuous Ministry.” I understand that the Government agree to the proposal of the honorable member for the Dunstan, so that we need not debate that any further. With regard to going on with the estimates, I would again submit that it is undesirable to ask us to go into the estimates now. I think they will need to be closely considered and cut down; but we require time to see in what respect we can do that. We must have the full details of the Government finance before us. I may say that, if the return of contracts at present current which has been laid before us is any criterion of the correctness of the Treasurer's figures, I have very little confidence in them. That return shows that there are £666,000 worth of contracts now let; but that is quite a different story from that which we heard a fortnight ago, when we were told that contracts to the amount of £2,000,000 had been entered into, and that this amount must be found before the 30th June next. After that, we want to see all the figures ourselves, in order that we may understand how matters stand; and it would be well to wait for the Public Works Statement. There is plenty of business to be gone on with. We have the Regulation of Elections Bill, and there is the Land Bill. That is a Bill of pressing importance, and the sooner it is passed the better, if we are all so anxious for special settlements. I

Sir G. Grey

suppose we must go into Committee of Supply, but I would suggest that progress should be immediately reported, and that we should go on with some other business.

Motion agreed to.

REDISTRIBUTION OF SEATS BILL.

On the motion for going into Committee of Supply,

Mr. STEWART said,—I move That this House, considering the circumstances under which the Government took office, declines to grant supplies until the Ministry give a definite pledge that they will bring down, and endeavour to pass, a Redistribution of Seats Bill during the present session of Parliament. When the present Government took office a Redistribution of Seats Bill was one of the main planks of their platform—one of the principal Bills which they promised should be brought down. The programme which the Government flourished before and after it took office consisted of the Triennial Parliaments Bill, the Manhood Suffrage Bill, and the Redistribution of Seats Bill. The Triennial Parliaments Bill was passed through this House, certainly, but no very great zeal was exhibited on the part of the Government in connection with this matter. It was afterwards carried through the Upper House, and we may now assume it to be law. The Manhood Suffrage Bill was brought in, but was so mutilated and mangled that it became an entirely different Bill; and, instead of the country obtaining a Manhood Suffrage Bill, it has obtained something very much worse than the law which it had before. Certainly the Bill was not the Bill the Government had promised. We distinctly understood that manhood suffrage would be carried out in its entirety. But the Bill gave effect to no such understanding. The other measure which the Government promised to give effect to was this Redistribution of Seats Bill. I asked the Premier the other evening what he was prepared to do upon that question; but he simply smiled, in his usual graceful manner, and declined to give a definite assurance in any way whatever. If the Premier had boldly said "No"—well, I am not prepared to say what I should have done; but he would say nothing definite, even though pressed by myself, by the honorable member for Newton, and by some other members of the House. That was not satisfactory at this stage of the session, and I submit that we are entitled to ask the Government to say what they intend to do in regard to this matter, and that, until they give an unqualified pledge that they will use their best endeavours to bring in such a Bill, they are not entitled to remain any longer in the position they now occupy.

Mr. HALL.—Hear, hear.

Mr. STEWART.—The Premier says, "Hear, hear." I understand that he assents to my proposition that, unless the Government give such a pledge, they are not entitled to remain in office.

Mr. HALL.—Oh, no.

Mr. STEWART.—The honorable gentleman

said, "Hear, hear." I understood that to be his meaning.

Mr. HALL.—You may assume what you please.

Mr. STEWART.—Very well; I shall assume that. Apart altogether from any importance which would attach to the matter under ordinary circumstances, it is of more importance from the special circumstances under which the Government took office. Therefore, without occupying the time of the House further, I move the motion which I have read to the House.

Mr. SHEPARD.—Sir, I hope the House will not consent to intercept what I think the country believes to be its true business—dealing with the financial problem now before us, and which is pressing for solution—in order to go into some speculative matter. When the present Parliament was summoned, the question at issue to my mind was not so much whether we should allow the late Ministry to retain office, or allow them to be superseded by the gentlemen now on the Treasury benches, as what steps should at once be taken in order that the credit of the colony might be maintained, the deficit in our ways and means provided for, and those public works carried on which were necessary to the maintenance of the prosperity of the country. I was one who voted with the late Government; and yet, when their successors came into office, I hoped those gentlemen would not go on with the proposed constitutional changes until the more pressing business, in the shape of restoring the finances of the country, had been disposed of: and I now think it would have been much better if the Qualification of Electors Bill and other measures of the same class had been postponed until the question of finance had been fully dealt with, until we had seen our way out of the financial troubles which have been looming over us for the past few months, and until we had provided means for wiping out the deficit which has been and is growing day by day. Sir, the honorable member for Dunedin City complains of the Qualification of Electors Bill. Well, whose fault was it? The Ministry bring down a certain Bill. If there was any great objection to that Bill, surely, in a House that was almost equally divided, those opposed to it could have forced the Government into making such amendments as would have made it consistent with their wishes. The Bill is as liberal as anything that has ever been expected in this country, and I believe it will satisfy the people of this country. Triennial Parliaments will shortly become law; so also will the Registration of Electors Bill, and other liberal measures. Surely these measures ought to keep our credit good before the country and the world. I hope the House will not consent to have its business intercepted by this question of a redistribution of seats being now raised. The country did not expect, when this Parliament was elected, that, in the course of two or three months, it would commit political suicide; nor do I think honorable members will consent to be led astray by any such cry as is now raised by the honorable member for Dunedin City. The redistribution of seats is not a thing to be done in a

day. To be done well, and to the satisfaction of the country, it would take the Government a very considerable time for preparation. I trust the House will at once set its face against any such attempt as this to prevent the business going on. In this matter I disagree with the party with which I have been associated.

Mr. SHRIMSKI.—Sir, I am not at all surprised at the honorable member who has just sat down objecting to the redistribution of seats, knowing very well where he comes from. The honorable member represents a constituency of Nelson, which is at present over-represented in this House.

Hon. MEMBERS.—No, no.

Mr. SHRIMSKI.—Honorable members may say that, but according to the census the population of the Provincial District of Nelson is 26,000, and there are nine representatives in this House. I say, therefore, that that population are over-represented. Knowing the number would be cut down, and that other parts of the colony which are now unrepresented would get extra members, this honorable member wishes us to go on with the estimates and to leave the redistribution-of-seats question in abeyance. I do say that this question was one of the standing points at the late elections, and I, for one, was pledged to advocate such a measure. I trust the honorable member for Dunedin City will not withdraw his motion, but will push the matter on.

Motion negatived.

SUPPLY.

The House went into Committee of Supply.

CLASS IV.—POSTMASTER-GENERAL AND COMMISSIONER OF TELEGRAPHS.

General Post Office, £3,023.

Mr. HALL said the several items given in the estimates were for twelve months, but it was proposed to terminate the financial year on the 31st of March, and the votes would therefore be taken for nine months, as printed in the first and second pages of the estimates. It must not be understood that if the sums on the estimates were appropriated they would necessarily be expended. The whole question would be carefully considered, and no increase would be allowed unless in what, after very careful consideration, were recognized as exceptional cases. The increase in the estimates for this department was more apparent than real. It was to some extent the result of an arrangement made between the Postal Department and the Railway Department for carrying the mails, which would, in effect, be but taking money out of one pocket and putting it into another. In other colonies the Railway Department received an allowance for carrying the mails.

Mr. MONTGOMERY said the honorable member had told them that the amounts in the estimates were not to be considered as absolutely necessary. He wished the Committee to vote the money, and he would make what reductions he could. He (Mr. Montgomery) was not going into any discussion of the estimates or of the finance. They required to consider the Property-Tax Bill

Mr. Shephard

and other financial measures before they could understand what the real finance of the country was. It was inexpedient to proceed with the estimates till they knew what their financial position really was. No time would be gained by bringing forward the estimates now. In England the estimates were brought down to Parliament at an early period of the session, that votes might be taken and payments made in accordance therewith; but such a system had not hitherto been adopted in this colony. He thought the Chairman should report progress. After they had discussed the subject of finance, and the very important Bills to come before them, the estimates could then be considered, and they would go through the House without much trouble or loss of time. To ask the House now to express an opinion as to what reductions should be made, was entirely out of the question. His own impression was, that the estimates should be very much lower than they now were, as the finances of the colony absolutely required great economy to be exercised in the expenditure. The Committee was not in a position to give any opinion upon the estimates at the present time, because it did not know what money it had to spend. The public business would be expedited by taking one vote and reporting progress, and going on with the other business, leaving the discussion of the estimates until after they had considered the state of the finance. He thought the Government would do well to adopt this suggestion.

Mr. SHEPHARD said the item proposed by the Premier was an index to the general character of the estimates. This was not a time to increase salaries, as, to say the least of it, they had not too much money to spend. They were going to impose a burden of taxation on the people which might be called crushing—such a burden as was never borne by any people in times of peace. In order to test the question whether or not salaries should be increased, he would take the first item upon which an increase was proposed. He would move, That the item "Accountant Money Orders and Savings Banks, £475," be reduced by £25. The Government should decide to take the scale of salaries of the previous year. It would be a satisfaction to the people to know that the Government servants were not to be specially favoured by having their salaries increased, especially as no charge was put upon them in respect of their salaries.

Mr. HALL said the reasons given by the honorable member for Akaroa for wishing the Government to defer proceeding with the estimates were not at all satisfactory. As the honorable gentleman had stated, the Imperial Parliament passed the estimates at a very early stage of each session; but that was not the case here. It would, however, be a check on the public expenditure if they followed the practice of the Imperial Parliament. The practice here had been to vote sums of £200,000 or £250,000 from time to time, by way of imprest, with which the Government could practically do what they liked; whereas, if the estimates were previously passed, these large sums would only be voted

to be expended in accordance with those estimates. One of the most unfortunate features of the practice of the New Zealand Parliament was putting off the consideration of the estimates to so late a period. Last year they were kept back so late that they were not really considered at all; and that was practically what the honorable gentleman now asked for. He (Mr. Hall) would ask the House, if it wished to get the estimates thoroughly under its own control, to pass them in future at a much earlier period than had been customary. The honorable member for Waimea objected to a small increase in a particular salary; but, if he looked at the whole of the estimates for the department, he would see that the increase in salaries was not nearly so great as the increase in the work thrown upon the department. It was not reasonable to expect increased work to be done without increased pay for it. The public service of New Zealand was no doubt a very expensive one; but the public servants were by no means overpaid, and that was especially the case with the Postal and Telegraphic Departments. The country expected these officers to do good service and be honest, and yet hardly gave them enough to live on. The present Government, during the short time they had been in office, had not had time to revise all the items of the estimates left by their predecessors, but had instructed all heads of departments that no increases were to be paid until the Government had fully considered the whole subject.

Mr. J. T. FISHER said the increase of salary referred to by the honorable member for Waimea was made after very careful consideration, and was given in consequence of the extra work thrown upon the officer. There were very few departments from which the public received so much benefit as from the Postal and Telegraph, and yet the salaries in them, from that of the Secretary downwards, were smaller than those in any other department. He trusted no alteration would be made in the amounts proposed.

Mr. BALLANCE hoped the honorable member for Waimea would adhere to his amendment, as that would place the Committee in a position to go much further. The Premier evidently desired to shelter himself behind the statement that these were the estimates of the late Government. He (Mr. Ballance) was informed that they had never been considered in Cabinet by the late Government, and therefore they were the estimates of the present Government.

Mr. J. T. FISHER, as head of these departments in the late Government, had gone through these estimates, but they had not been considered by the Government.

Mr. BALLANCE said no one Minister was in a position to say what reductions or increases could be made in his department. That had to be determined by the Government as a whole in connection with the general finances of the colony. He ventured to say that the estimates for some of these departments had not been revised by the heads of the departments. The Postmaster-General stated that the general increases were very small, and took the charge for conveyance of mails by railway—£9,600—as an instance; but

he overlooked the great saving that was made by this mode of conveyance. The total increase of expenditure in this department for the year was £36,000, whereas the total increase of revenue was only £4,000. The Telegraph Department showed an absolute falling-off to the extent of £2,000, and yet nearly every salary was increased. There was this year an absolute loss of £32,000 in this department alone. As to the statement of the Premier with regard to the estimates of last year, they were brought down and the first vote taken at an earlier period of the session than had been the case for six successive years previously. There was no analogy between the English system and the New Zealand system, and the excuse that there was urgency to pass the estimates was not tenable. The House, therefore, should insist on the estimates at once being reduced, and not accept a general statement of the kind made by the Premier. He (Mr. Ballance) thought the Committee should report progress, and ask the Treasurer to keep the promise made when he delivered his Financial Statement, that he would at an early date bring down the Property-Tax Bill. He thought Wednesday had been named as the day on which it would be brought down. He was assured that the Bill was prepared, and he was at a loss to know why the Treasurer should keep the Bill back. The Public Works Statement should be brought down also, and the general discussion on finance taken before the estimates were further considered. With this view he moved, That progress be reported.

Mr. SHEPHARD was not disappointed at the reply made to his proposition, because he had heard before, when similar propositions were made, that the department in which reductions were proposed was the most valuable of any, and that the particular officer proposed to be affected was the most hard-working and intelligent officer in the Service. But the real question was, could the colony afford now to increase what had even in the past been good salaries? In this case he did not know the officer who would be affected by his proposal. As to his proposal not going far enough, it would go far enough if honorable members would assist him in applying the same principle throughout this and every other department. If that were done, a sensible relief would be given to the taxpayers of the colony.

Mr. TURNBULL hoped the Premier would accept the proposal to report progress. No doubt the Government had commenced with the worst-paid department in the service; but that did not affect the principle. He thought the House should first deal generally with the whole financial position. Let the system of extra taxation be considered and determined upon by the House, and then the Committee could go into the matter of reductions. If the Government did not report progress, although sorry to hinder public business, he should feel compelled to propose a large number of reductions. He had in his possession a list of salaries ranging above £200, amounting in all to about £400,000, and he should feel it his duty to propose a reduction in every case. But in the first place honorable members must be

prepared to make reductions in the honorarium. However, he should prefer, before doing anything in this way, to have the whole subject discussed generally. He hoped this scheme of reduction would enter largely into any scheme they might adopt. In the department under consideration, the salaries over £200 amounted to £50,000. It would be extremely unfortunate to have to deal with the separate amounts item by item. It would be much better for the Government to proceed with the Bills on the Order Paper, and inform the House what course they intended to adopt in order to reduce expenditure. The expenses of the departments were really very heavy. The salaries for the Legislative Department amounted to £6,500, for the Treasury Department about £9,000, and for the Audit an equal amount. The expenses of members amounted to £22,000. That could be reduced by one-half. Then there was another important matter. It was impossible that the country could pay £117,000 for education, as it did last year. However much they might desire to continue the system, it could not be carried out; and he knew people worth hundreds—he might say thousands—of pounds who sent their children to these schools. These were directions in which economy might be effected, and the estimates should be postponed until the fiscal measures were brought down. A great change might be made in these measures, and it was unfair to put members to the disagreeable necessity of objecting to every salary, which under present circumstances was the only course they could adopt.

Mr. LUNDON said he should vote with the greatest pleasure for the reduction of every salary over £300. He had a motion on the Paper asking for £50,000 for works in the North of Auckland, and when a motion of that kind came up they were always asked where the money was to be found. He should have no difficulty in finding the money. He would reduce the estimates by £100,000, if necessary; but £50,000 would do for him. Of course he knew that, immediately any one proposed reductions, the Government stood out in defence of the officials. All Governments did that. No doubt the officials would not like the reductions; but that was easily settled—let them resign. A hundred men would be found to take the place of every one that resigned. There was never a man resigned yet, but there was a better one found to take his place. He should vote with the honorable member for Waimea and any other member who would insist upon reductions.

Mr. SHRIMSKI, in all earnestness, would ask the Premier to accede to the request to report progress, in order that other business might be proceeded with, as he was quite sure there was not the slightest chance of passing one of the items that night. Honorable members would have Saturday and Sunday to go through the various items and to consider them; and he trusted that opportunity would be afforded them by the reporting of progress.

Mr. MURRAY thought it was rather unfortunate that a threat of this kind should have been held out. When the House went into Committee

Mr. Turnbull

on the estimates there was, generally speaking, a great display over one or two items, and afterwards large sums were voted without the least discussion. In the present instance the Postal Department was the *piece de résistance*, and it was rather unfortunate that this department should have been selected. It was objected to that they should provide for their current expenditure out of loan; but that had been the practice for years past. He did not think that increases should be made in salaries above £200, unless good reason was shown for making them.

Mr. SAUNDERS hoped the Government would decide, in the present depressed state of the colony and the world, not to propose any increase of salaries. He certainly thought that no increase should be made in salaries over £200; but he would have no objection to young men in the Service receiving those increases to which in the ordinary course of promotion they were entitled.

Mr. SPEIGHT concurred with the last speaker. He might add that at the last general election, which resulted in the return of a large number of new men, one of the great things impressed upon candidates was that the Civil Service was growing up to be a thing which was terrible to be borne. Looking at the estimates, the result he arrived at was this: that there was to be a large decrease in the expenditure on public works and other departments, while the cost of the machinery for expending that money was to be increased. That was not a proper position to take up in the present financial state of the colony. They were going to call upon the people to make a great sacrifice, and to impose taxation which would be very heavy on certain portions of the people. If they meant the people to pay these taxes with any amount of readiness, they must show them that they were determined to cut down the expenditure from the very top of the tree. The Committee should not be asked to vote the estimates blindfold. The Civil servants should be asked to bear their fair share of the hardships borne by the people throughout the colony. The expense connected with the House of Representatives might be reduced. Honorable members should be content to take just a sufficient sum to meet their actual expenses, and the members of the other branch of the Legislature should be content with the honor conferred upon them, and not receive any honorarium. He hoped the Government would see its way, in the interest of the country, to go on with the important Bills on the Paper, and delay the consideration of the estimates.

Mr. SWANSON said his experience had been that it was almost needless to attempt to reduce salaries. They would be doing a good service by refusing to vote the honorarium to members of the Upper House, and by reducing their own honorarium. There was a good deal of expenditure in connection with this House which might very well be avoided. The estimates should be taken back and reduced by at least £50,000, and the House should support the Government in doing so. If the estimates were proceeded with, the Committee would not be able to decrease them by £3,000. There were a number of highly-

paid men in the Public Service who were doing next to nothing, who could well afford to contribute. Some of them were incompetent for anything except to create mischief. By dispensing with some of the officers of the House whose positions were perfect sinecures the Government would show that they meant economy. The establishment was altogether out of proportion to the work done.

Mr. HALL pointed out that it was impossible, while the House was sitting, for the Government to revise the estimates prepared by their predecessors, and to make such reductions in them as might possibly be required. They might have taken ten pounds off items here and there, but that would not have been doing justice to the matter. They had, however, determined that no proposed increase should be actually paid unless special grounds were shown for it. A circular to that effect had been sent to the heads of departments before the estimates were submitted to the House; and that circular had found its way into one of the newspapers. The Government would take the decision of the Committee upon the voices on the proposition of the honorable member for Waimea, and, if the Committee affirmed the proposed reduction, the Government would feel bound to give effect to the suggestion of the honorable member for Chelivot, that no increase, except in special circumstances, should take place in cases where the salaries exceeded £200 a year. The great cost of the Civil Service was really owing to the extravagant demands of the public themselves. Even in the present depressed condition of affairs, extravagant demands continued to be made for post offices, telegraph offices, courthouses, and other public buildings. If they meant economy, they should begin at their own doors, and not begin with the Civil servants, who, as a rule, were not overpaid. With regard to the Post Office Department, the young officers connected with it were paid very low salaries. They were promised a gradual small increase, up to such an amount as they could fairly live upon.

Mr. ACTON ADAMS said no doubt the Government would have felt it unjust to make a large reduction in the estimates of the late Government, and therefore tried to lead the House into making those reductions. He agreed with the honorable member for Newton that it was impossible for the House to make individual reductions, and it was to the Government alone they should look for reductions. He would therefore recommend the Government to take the estimates back, and reconsider many of the proposed increases. This was no time for increasing salaries, particularly when a tax was about to be placed on all property, and that, too, when people could least afford it. The Civil servants had not suffered from the depression, as their salaries were regularly paid; and to increase those salaries now would be to take the money out of the pockets of those who had suffered in many ways through the depression. Although he would not object to increases in certain special cases, he objected to the systematic increase shown throughout the estimates. The total for the Telegraph Depart-

ment was £110,000 this year as against £98,000 last year; and there were increases in the same proportion in other departments. If the Government maintained the estimates of last year, without increases, they should receive the support of the House.

Mr. HISLOP did not sympathize with half that had been said, and did not believe in pitching into the Civil servants, who were not, as a rule, overpaid. There would be no chance of making any saving if a change were not made in the system of conducting the departments, which were too much in the hands of Under Secretaries. He hoped the Government would see their way to report progress, as this was only a waste of time, and honorable members were merely delivering portions of the speeches which they would be again delivering when the Financial Statement came up for discussion.

Mr. ANDREWS did not think it was the duty of the Government to take upon themselves the onus of reducing the estimates. He had looked through the items, and was convinced that considerable reductions could be made. Let the House pass a resolution that the whole estimates should be reduced from 10 to 20 per cent., beginning with their own honoraria, and he would support it; and then let the Government equalize the expenditure.

Mr. SHEPARD had no desire to refuse increases of salary to those who were receiving small pittance, and, as to reducing salaries all round by 10 per cent., that was an impracticable proposition, at any rate so far as this year's estimates were concerned. Five months of the year had almost elapsed, four months' salaries certainly had been paid, and it would be absolutely unfair to make such a reduction retrospective. Then, as to the future, some reasonable notice must be given; so that the year would be out before the proposal could take effect, especially if the financial year was to close at the end of March.

Mr. McLEAN, from his experience, felt that the Government had taken the only course open to them when they gave notice that no increases of salary could be allowed, and that the heads of departments must consider where offices could be properly amalgamated. That was the only way in which the Government could reduce expenditure in the Service. There was one direction, however, in which considerable savings could be effected, and that was—to take this vote as an illustration—to shut up a number of the small post and telegraph offices; but then the difficulty was, that members of the House whose districts were affected would not stand it. For instance, were a telegraph office in his district closed, he expected he would go to the Minister, tell him he could not stand it, and refer him to the Waitaki or some other adjoining district. Every one was ready to shed the last drop of his brother's blood. That was the difficulty the Government had to deal with. He quite recognized the justice of the position taken up by the honorable member for Christchurch City (Mr. Andrews) and the honorable member for Waimea, that salaries above £200 should not be increased; and he hoped

the Government would act upon that principle, accepting the vote of the House on the voices as an instruction on that head.

Mr. HUTCHISON thought that the estimates were most extravagant, but for that he blamed the late Government, as the present Ministry could not have had time to go over them carefully. He did not agree with the proposal to reduce salaries 10 per cent., because to take that amount off the salary of a struggling clerk would simply be cruel and unjust. He really thought there were very few salaries that could be reduced. Looking at the department under discussion, he did not find a single salary too high—indeed some were too low; and, when he said the estimates were extravagant, he meant this: In the department under notice he observed there were nine clerks, all of whom were paid miserably small salaries; but his impression was that the work could be done by three men with the most perfect efficiency, and those three might be paid a fair salary. That was the view he took of the whole of the estimates—Pay men well who did the work; get rid of those who had no useful work to do. Following up the remarks of the honorable member for Waikouaiti, he might say he thought there was no necessity for the fifty or sixty Resident Magistrates whose salaries appeared on the estimates. If Resident Magistrates were appointed for the more populous centres of the colony, that was sufficient. Resident Magistrates in the country districts were not only a luxury, but more than a luxury, because they rather induced people to rush to law who had no necessity to have anything to do with it. The Magistrates would be of great service if they settled the differences of the people in the country in a quiet simple way, leaving all difficult questions to be settled by a District Judge, who might visit the district every three months or so. Under such an improved system the item under consideration might be reduced by £20,000. There was the important fact, which was worth some trifling reflection, that there was a Government official for every 190 of the population of the colony—man, woman, and child. The whole thing was a monstrosity. They were official-ridden to an extent that was alarming. One honorable gentleman spoke of the amount expended upon education—some £242,000—and said the country could not afford it; but it would not at all affect the case if the £242,000 were struck out of the estimates altogether. Nobody supposed that education should not go on: the money would have to be raised all the same, and, if necessary, through the local bodies. The Education Boards might not be the most economical system for the expenditure of the money; but still the expenditure must go on. It seemed to him that this discussion of the estimates before they had the general scheme of finance before them was premature. They were being asked to provide money for matters which were not before them, and which might undergo considerable change; but he was sure they would not effect any great saving by going through the items now. What he would recommend was, that the Government should give their attention to the subject

Mr. McLean

between this and the next session, and he had no doubt they could reduce the estimates by the sum of £150,000. They ought to begin with the Governor, and come right down. As to the members of the Government, he did not think they were too highly paid. They earned all the money they received. There was one misleading feature in the estimates which he would like to refer to, and it was this: Taking the item "Inspector of Post Offices," he found that he received £500 per annum; but, further down, he found another item of £250 for travelling allowances for the same official; so that, if the travelling expenses only came to £150, the salary was really £600: and so it went on throughout the estimates. They found an Under Secretary put down for £700 on one page, and on another page he received £100 more for something else, the total salary in some cases really amounting to something near £1,000.

Mr. MURRAY defended the late Government from the charge made against them by the honorable member for Wellington City (Mr. Hutchison). The honorable member was somewhat unfair. It was the system, and not the Government, that was to blame. If the House wished to make reductions, it would have to change the system, and to effect this he had given notice of the motion to elect a Commission. He hoped the honorable member for Wanganui would withdraw his amendment. The Government could give an assurance that reductions would be made wherever possible; but it was useless to go on in this way. The vote under consideration would have to be passed some time or other, and they might as well pass it now. Of course he was aware that they were merely repeating the experience of every session. Members expended all their energies on the first few votes, and then, at the end of the session, swallowed hundreds of thousands without remark.

Mr. BALLANCE said the honorable member for Bruce had evidently not followed the spirit of his remarks. He thoroughly agreed with the honorable member for Newton that the system of cutting down votes piecemeal had never yet succeeded to any great extent, and was not likely to succeed now; but he moved the motion because they were proposing to put on taxation which was almost unparalleled in the history of this colony, while they had entirely overlooked the fact that the taxation was based upon the estimates before the House. If they could not cut down the votes piecemeal, the Government might reduce them by some such drastic remedy as that proposed by the honorable member for Christchurch City. He believed there were bogus items on the estimates which would not be expended; and, when it was proposed to put on taxation on the basis of these estimates, it was their duty to see how the totals were made up. That was why he insisted on pressing the amendment.

Major ATKINSON said the honorable gentleman had given the soundest possible reason for going on. The honorable gentleman was great on constitutional points and finance, and he knew that the constitutional practice was, first of all, to

determine the expenditure required. The Crown always invited the House to define the necessary services of the country, and, having defined them, it was their duty to find the means. The honorable gentleman had himself made that declaration in the House on many occasions. The truth was, there was no fault to be found in the financial proposals of the Government, and the honorable gentleman and a few of his friends were simply nagging at the Government. It was a mere idle excuse to say that they wanted to see the Property-Tax Bill brought down. The honorable member knew it would be perfectly impossible to reduce the estimates to any great extent during the forthcoming year. Five months of the financial year had already gone, and the honorable member for Wanganui knew as well as he did that, if they abolished any offices, they would have to give a month's salary for each year of service. If these estimates were delayed for a week, the result would be that they would have no financial debate, and some morning at four o'clock honorable members would swallow the estimates and go back to their homes feeling that they had done their duty to their country. He hoped the House would not consent to the delay of business proposed by two or three gentlemen who were dissatisfied with the position they now occupied in the House.

Mr. MONTGOMERY said it was quite constitutional, as the Colonial Treasurer had said, to consider what the requirements of the public service were first, and afterwards to go into the question of ways and means. The honorable member stated that delay was proposed by two or three members, who were dissatisfied with their position. They had a higher object in view: they wished to see the government of the country conducted economically and efficiently; and, if they could show that the Government was increasing expenditure where it should be reduced, it would be so much the better for the country. The honorable member for Egmont was afraid to give the information which would enable them to see the whole thing in its true light. The Property-Tax Bill, though promised to be brought down on Wednesday, had not yet been circulated, and this measure ought to be in the hands of honorable members before they were asked to proceed further with the proposed expenditure. He hoped that both sides of the House would act reasonably in this matter.

Colonel TRIMBLE said the proper time to have raised this discussion was when it was moved that Mr. Speaker should leave the chair, and the discussion now was neither more nor less than a waste of time. The whole object of honorable members opposite was to keep the House from passing useful measures; and after the session they would go about making speeches at Christchurch and other places, charging the Government with misdemeanours of all kinds, and asserting that if Ministers had left the benches, and allowed them to take their places, they would have done wonderful things for the country. Let them take a division at once, and waste no more time in useless discussion.

Mr. SHRIMSKI said that the Government

this session was adopting the policy pursued by the Government in 1877, when it said to the House, "Give us a loan, and let us alone," and it had now borrowed the estimates of its predecessors. As a representative of the people, he felt that he should not be doing his duty if he allowed them to be taxed for the purpose of increasing the salaries of the Civil staff; and he would do his utmost to endeavour to decrease the burdens proposed to be placed upon the people.

Mr. DE LAUTOUR did not think the Treasurer had been quite fair to his (Mr. De Lautour's) side of the House. When the late Premier followed the honorable gentleman after he had made his Financial Statement, he was quite willing to take the discussion then; but the Treasurer said the Government were anxious to press on the electoral Bills. He (Mr. De Lautour) thought very little of these financial discussions. During the few years he had been in the House they had been a mockery and a sham, from whichever side they came, and he did not expect any other result this year. Still, he thought they had a fair right to know what shape the property-tax was to take, and to know what position the pastoral leasees were to be placed in. They had a fair right to be informed exactly how the burden would fall, because, unless they knew that, they could not gauge the accuracy of the Treasurer's statement as to the results that would accrue, or as to the shape in which the burden would fall, or upon whom it would fall, or if, as many of them thought, it would fall oppressively. He quite agreed with the honorable member for Waitaki that some strong effort should be made in the first instance to curtail the expenditure, rather than that they should put on so much extra taxation. It was a very serious question, and, so far as he knew, the side of the House to which he belonged had no desire to treat it in a party manner. They regarded it quite as seriously as the Treasurer did, and both sides might meet on the common platform of admitting the position to be very serious, and to require all the patriotism and ability of both sides of the House, and might consider whether it was wise that this crushing taxation should be put on until it was proved that they could not reduce the expenditure. He did not understand the position at all. He did not profess to understand finance; but the Treasurer admitted that in 1877 the Land Fund first became colonial property, and that the present deficiency, which the honorable gentleman called a permanent deficiency, arose from the failure of the Land Fund. How, then, in these two years had such a permanent expenditure crept in that it could not now be controlled and put back to the position it was in in 1877? He could not understand that, unless the Treasurer was prepared to admit that he was meeting deficiencies year after year previous to 1877 out of loan, which he always denied.

Mr. HALL said it was no doubt true that the majority of the honorable gentleman's party were not to blame for the delay; but there was a small minority who were determined to obstruct everything unless their wishes were given effect

to; and those tactics he hoped the House would not tolerate.

Mr. MOSS said that the members of the Opposition were really desirous to go on with the business and discuss the question of finance; but the Government hardened their hearts and insisted upon the House swallowing this particular vote. The delay was entirely their own fault, and therefore the Government, and not the House, should sit on the stool of repentance. The House would not be doing justice to the country if they did not devote a considerable portion of the remainder of the session to finance. If the Government did not choose to reduce the estimates, the House could not drive them to do so; but there were large questions connected with the colonial finance that he believed would agitate New Zealand from end to end. They talked about imposing £700,000 or £800,000 of extra taxation as if it were nothing; but when the tax-gatherer went round, then, and not till then, would the pressure be brought home to the people. He did not like the idea of cutting down small salaries and making men's lives miserable, while they left the highest salaries intact. It was the bounden duty of Ministers to begin with themselves, and higher, if possible. This question of finance involved the whole question of the construction of the Government of New Zealand. They would have to face the question whether they would go on building up large central departments, or revert to something like a simpler system, which would throw on the local bodies the greater part of the duties embodied in these estimates. Until that was done they would not be able to reduce the expenditure materially. Then there was the question who should ultimately bear the burdens of this new taxation, and whether they should allow a single farthing of it, for purposes merely of revenue, to be put on the Customs, which really imposed the burden upon the mass of the people. If they imposed the necessary burdens by means of direct taxation, the question of retrenchment would soon be handled, and they would then certainly, as the honorable member for Port Chalmers had put it, learn to cut their coats according to their cloth.

Mr. HISLOP did not know whether they were going to have a repetition of what took place in 1877, which then led to the downfall of the Ministry. The Government, on that occasion, took the bit in their teeth, and would not pay any attention to the desires of any person who did not belong to their party. If the Government followed the same course now, they would be defeated. The Government were now domineering over a party in the House, and such conduct would not be tolerated. The Colonial Treasurer had enunciated a new doctrine to-night—namely, that they should first determine the expenditure, and then find the ways and means. That was simply an excuse for going on with the estimates first. That principle might apply to older countries, but it did not apply here. The Treasurer himself had not shown any regard for that principle. One of the leading features of his Financial Statement was, that the

Mr. Hall

expenditure would depend upon the ways and means; and his reason for taking away the subsidies from local bodies was that he had not the ways and means. If the Ministry had desired to get on with the business of the country, they would at once have consulted the Opposition and have fulfilled the promise which they made to bring down the whole of the financial proposals, and invite discussion upon them. It was apparent that the intention of the Government was to keep back as far as possible their financial proposals, which they knew would be very unpopular in the House, and to bring them down at the last moment, and have them swallowed wholesale without any discussion whatever. He hoped the Government would agree to report progress, and enable honorable members to proceed with the other business on the Paper.

Mr. ANDREWS said that before the House began to tax the people of the country it should first begin retrenchment. The Government were proposing to impose taxes upon the people, who were already heavily taxed. He knew that it was almost impossible for the rate-collectors to collect rates in the City of Christchurch, simply because the people were unable to pay them. That was the condition of the people in other parts of the colony. The Committee was now called on to pass estimates which had been framed when the colony was in a state of prosperity. The people should raise their voice against any increase in the estimates. It was simply absurd to ask the House to pass increased estimates in the present condition of the country. The House must insist upon retrenchment, not piecemeal, but in a wholesale manner. With regard to the honorarium, no member living within a radius of three miles of the city should receive it. Honorable members should set an example of retrenchment by reducing the present honorarium.

Mr. TURNBULL regretted that he was obliged to take the course of delaying business. The Colonial Treasurer said the constitutional mode of proceeding was to pass the estimates first, and then provide the means; but, of course, that meant that, whatever expenditure was authorized, the House would have to find the means to meet it. He would feel it his duty to bring forward a resolution affirming the principle that a general reduction should be made, and, if it was decided in the meantime to go on, he would be bound to divide the House against all proposed increases.

Motion to report progress negatived.

Mr. TURNBULL moved, That the item, "Secretary, £600," be reduced by £30.

Colonel TRIMBLE would like to know whether the Government were prepared to accept in spirit the proposal of the honorable member for Waimea.

Mr. ROLLESTON said the Government would take the proposal of the honorable member for Waimea to reduce the item, "Accountant, Money Orders and Savings Banks, £475," by £25, as a general indication, which would guide the Government throughout the estimates, that no salaries above £200 should be increased. In regard to the item proposed to be reduced by the honorable member for Timaru, he might explain

that there was no increase in the salary, which was that of an officer of very high merit.

Mr. TURNBULL said it was not the increases that he objected to; but all people felt the depression, and it was only right that the Civil servants should take their share.

Mr. SUTTON thought the Government was to be congratulated upon the increases in the Postal Department. The postal officers were now only coming to get salaries on which they could live; but even now they were not getting the salaries which were paid in other departments. He certainly should support every increase in this department. It must be remembered that, when heavy taxation was being imposed, these people would have to pay their share. Many of them had property; and to all the cost of living would be increased by the extra Customs duty.

Major HARRIS inquired whether the honorable member would support an arrangement by which the farmers would be enabled to pay their share of the taxation. From what he had seen, he had come to the conclusion that the Civil servants governed the country, and that Ministers were afraid to propose to reduce their salaries. The Civil Service in Wellington could keep in or turn out a Government just as they pleased.

Mr. SPEIGHT accepted the statement of Ministers that they would turn their attention to the matter during the recess, and thought the House ought to confine itself to lopping off increases of salary.

Mr. TURNBULL said it was no use trusting to Government promises. A hundred thousand pounds could be saved by reductions in the estimates, and the House ought to take the matter in hand, and make the reductions forthwith.

Mr. J. T. FISHER thought it unfortunate that this department should bear the brunt of the battle. It was really the poorest-paid department in the service, and he hardly thought it fair that two officers should be singled out, one of whom had been nineteen years in the service, and the other fourteen years.

Mr. TURNBULL asked the Premier to take Class I. instead of Class IV. They could then cut down the payment of members to begin with.

Mr. HALL said that the Government had already decided to make no increases in salaries above £200. If the House would agree to pass the first item under this class, the Government would consent to report progress, and on Monday would meet the honorable gentleman's views by putting the Bill for payment of members' expenses first on the Order Paper.

Mr. ANDREWS thought the House had done some good in extracting that promise from the honorable gentleman. As to the Post Office being the poorest-paid department in the service, the salaries might not be high enough for the sons of members, but there were hundreds of people who would apply for every office that might become vacant. Speaking of the management of the departments, he might mention that he had been on many Committees during the present session, and the opinion he had formed from what he saw was, that the highest-paid officers did the least work. He should strongly support the motion.

Sir G. GREY moved, That the Chairman do report progress, and ask leave to sit again.

Mr. HUTCHISON expressed a hope that, if they were going to have a fight at all, they would not have it on the question of reducing the salary of the Secretary of the Post Office by £30. He thought that £600 a year was not too much for an efficient officer. He found there was abundance of room for reduction on the estimates as now before the House without touching the salaries of useful officers at all: £70,000 might be saved in the Armed Constabulary Department alone. On the whole, he could see that a reduction of £150,000 might be made in the present estimates, without touching salaries at all.

Question put, "That I do report progress, and ask leave to sit again;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	19
Noes	...	...	...	...	31
Majority against ...					12

AYES.

Mr. De Lautour,	Mr. Lunden,
Mr. Finn,	Mr. Macandrew,
Mr. J. T. Fisher,	Mr. Montgomery,
Mr. George,	Mr. Shrimski,
Mr. Gisborne,	Mr. Tainui,
Sir G. Grey,	Mr. Tawhai,
Mr. Hamlin,	Mr. Tole.
Major Harris,	<i>Tellers.</i>
Mr. Hutchison,	Mr. Andrews,
Mr. Ireland,	Mr. Ballance.

NOES.

Mr. Acton Adams,	Mr. Moorhouse,
Mr. Allwright,	Mr. Murray,
Major Atkinson,	Mr. Rolleston,
Mr. Bain,	Mr. Saunders,
Mr. Beetham,	Mr. Shanks,
Mr. Bowen,	Mr. Shephard,
Mr. Bryce,	Mr. Stevens,
Captain Colbeck,	Mr. Studholme,
Mr. Fulton,	Mr. Swanson,
Mr. Gibbs,	Colonel Trimble,
Mr. Hall,	Mr. Wakefield,
Mr. H. Hirst,	Mr. Whitaker,
Mr. W. J. Hurst,	Major Willis.
Captain Kenny,	<i>Tellers.</i>
Mr. McDonald,	Mr. Hursthouse,
Mr. McLean,	Mr. Sutton.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Barron,	Mr. Kelly,
Mr. Brown,	Mr. Brandon,
Mr. Bunny,	Mr. Mason,
Mr. J. B. Fisher,	Mr. Whyte,
Mr. Hislop,	Mr. Ormond,
Mr. Moss,	Mr. Levin,
Mr. Reeves,	Mr. Masters,
Mr. Reid,	Mr. Oliver,
Mr. Seddon,	Mr. Dick,
Mr. Sheehan,	Mr. Richardson,
Mr. Speight,	Mr. Beetham,
Mr. Stewart,	Mr. Pitt,
Mr. Thomson,	Mr. Reader Wood,

Mr. Tole,
Mr. Turnbull,
Dr. Wallis,
Major Te Wheoro.

Mr. Richmond,
Mr. Wright,
Mr. McCaughan,
Mr. Driver.

The motion was consequently negatived.
Motion, That the item, "Secretary, £600," be reduced by £30, negatived.

Mr. TURNBULL moved, That the item, "Inspector of Post Offices, £500," be reduced by £25.

Motion negatived.

Motion, That the item, "Accountant, Money Orders and Savings Banks, £475," be reduced by £25, agreed to.

Mr. HISLOP moved, That the item, "Nine clerks, &c., £1,705," be reduced to £1,430, the amount voted last year.

Major ATKINSON said some of these were cadets, whose salaries must increase as their duties increased.

Mr. SWANSON explained that these cadets were like apprentices—as their skill increased so must their pay.

Mr. SPEIGHT said these were clerks, not cadets. Two of them received £300 a year each.

Major ATKINSON could only again assure the Committee that no increase would be made in salaries over £200 a year.

Mr. GEORGE pointed out that, as compared with last year's estimates, there had been an increase all round in the sums named in this particular item, and an extra clerk had been employed. He should like to see the estimates reduced in this item to what they stood at in the previous year.

Major ATKINSON said he could not suddenly strike off the clerk on the recommendation of honorable gentlemen who could not know what necessity there was for his services.

Vote, as reduced, £2,998, agreed to.

Progress reported, and leave given to sit again.

The House adjourned at five minutes to four o'clock a.m.

HOUSE OF REPRESENTATIVES.

Monday, 24th November, 1879.

First Readings—Second Reading—G. B. Worgan—Dargaville Telegraph Station—Rangiora Railway Platform—Civil Service—Nelson Mining Leases—Kaitapoi Railway Station—Brighton-Kaitangata and Outram-Clarendon Railway—Saddlery for Armed Constabulary—Westport-Ngakawhau Railway—Point Elizabeth Coal Seam—Aroha Block—Thames High School—Miners' Rights Fees—Oxford-Sheffield Railway—Artillery Corps—Invercargill Mining Companies—Southland Railways—Thornbury-Otatau Telegraph—Land-Tax—Fatutahi Drain—Gisborne Bridge—Land-Tax—Members of General Assembly Expenses Bill—Regulation of Elections Bill—Supply.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Rabbit Nuisance Bill, Appeals from Justices Bill, Married Women's Property Bill, Inch-Clotha Bill, Property Assessment Bill.

SECOND READING.

Debtors and Creditors Bill.

G. B. WORGAN.

Mr. HAMLIN asked the Government, If they will introduce, and pass through all its stages, an Act to indemnify George Buckland Worgan for any evidence he may give before the Native Affairs Committee tending to criminate himself, if advised by the Law Officers of the Crown that such a course is necessary for Worgan's protection?

Mr. HALL said that, when the Committee made a report of the facts that rendered it desirable to pursue this course, the Government would give them their consideration. Until that was done, it was impossible for the Government to answer the question.

DARGAVILLE TELEGRAPH STATION.

Mr. MOSS asked the Government, When the telegraph station at Dargaville is likely to be opened, and what has been, or is now, the cause of delay?

Mr. HALL said the delay was due to the fact that there was a difficulty in connection with the conveyance to the Crown of a site for the office. As soon as the conveyance was complete, the erection of the building would be gone on with.

RANGIORA RAILWAY PLATFORM.

Mr. BOWEN asked the Minister for Public Works, Whether he will cause a platform to be erected on the Rangiora and Oxford Railway, at the West Town Belt of the Borough of Rangiora? He wished to point out that the platform was wanted at the Oxford side of the Borough of Rangiora, as passengers at present had to pass the town to go up to the junction. As trains went out again in many cases immediately after arrival, people who came in to Rangiora on business from the country had to wait an inordinately long time for another train; whereas, if they could get out at the West Town Belt, they could do their business, and meet the train again on its return from the junction. At present a great deal of traffic was lost for want of an inexpensive platform.

Mr. OLIVER was aware that applications had been made to have this platform erected some time ago, and that they were refused; but he would have further inquiry made, and if he found that the public convenience required it a platform would be constructed.

CIVIL SERVICE.

Mr. REID asked the Premier, Whether it is the intention of the Government to take steps to place the Civil Service of the colony on a more satisfactory basis in regard to increases of salaries, in order that the present power in the hands of Under Secretaries and heads of departments may be somewhat curtailed? The object he had in asking this question was to elicit from the Government some opinion as to the system at present in vogue with regard to increases of salaries and promotion in the Civil Service. He was aware that the present system was giving

anything but general satisfaction, not only in the city in which the head-quarters were, and where influence could be used to obtain promotion, but much more so in the outlying districts. He did not wish to put the question with a view of affecting the estimates for the present year, but with a view to the Government, during the recess, giving the matter some consideration. He understood that the system at present was, that everything should be done upon the report of the Under Secretary or head of the department; and merit or ability was not, in many cases, recognized to the extent it ought to be. Influence was very often at work, and by the ear—

Mr. HALL rose to a point of order. He thought the honorable gentleman was going somewhat beyond the latitude allowed in asking questions.

Mr. REID said perhaps he was a little out of order in introducing debatable matter, and he would therefore simply ask the question.

Mr. HALL had perhaps rather misunderstood the honorable gentleman's question when he saw it on the Order Paper. He thought it meant an inquiry as to whether the Government would endeavour to provide for periodical increases of the salaries of public officers by authority of law. A suggestion of that kind was made some years ago; but Parliament did not receive it with favour. Whatever the merits of such a provision might be, he was afraid it would not be likely to be assented to by Parliament if any Government made a proposition of the kind. With regard to the statement that increases of salaries were due to the possession of influence on the part of Under Secretaries, of course he could not answer for what was done by previous Governments, but he could assure the honorable gentleman that that would not be the case under the present Government. It would be their duty to inquire into every case in which an increase of salary was proposed, and to decide according to the merits of the case itself. Of course Ministers must derive a great deal of information from the Under Secretaries: still, they would endeavour to study the facts of each case, and decide for themselves upon those facts. It was obviously impossible to do that with regard to the estimates now before the House, but it would be their duty to do so before they gave effect to the appropriations of the present session.

NELSON MINING LEASES.

Mr. GIBBS asked the Government,—(1) Whether mining leases granted under "The Nelson Waste Lands Act, 1874," are, in some instances, not being efficiently worked for the purposes for which such leases were granted; (2) what area is at present alienated in the Provincial District of Nelson by mining leases granted under the Act of 1874; (3) what conditions for securing the efficient working of the mines have been inserted in mining leases granted by the Waste Lands Board of Nelson for mining for minerals other than gold, in terms of the 85th section of "The Nelson Waste Lands Act, 1874"?

Mr. ROLLESTON said he had had a return prepared in tabular form, which would to some

extent give the information which the honorable member sought. He would be glad to give further information if required. He would lay the return on the table.

KAIAPOI RAILWAY STATION.

Mr. BOWEN asked the Minister for Public Works, Whether the improvement of the railway station at Kaiapoi, and the formation of a railway siding to Raven Quay, promised two years ago, will be soon taken in hand? Alterations were promised to be made two years ago, but they were not carried out. With regard to the railway siding, he was aware that the Commissioner had stated that he could not get land to facilitate the work; but he could assure the Minister for Public Works that the inhabitants of the borough were prepared to prove that there was plenty of land available for the purpose.

Mr. OLIVER said that, with regard to the first part of the question, referring to the improvement of the Kaiapoi Railway Station, provision had been made on the estimates for the work. With regard to the second question, relative to the railway siding to Raven Quay, further inquiry would be made, in order to carry out the object if possible.

BRIGHTON-KAITANGATA AND OUTRAM-CLARENDON RAILWAY.

Mr. MURRAY asked the Minister for Public Works, If he will lay before this House the report of the engineer upon the Brighton-Kaitangata and Outram-Clarendon Railway?

Mr. OLIVER said he had laid the report on the table of the House. He had no objection to have it printed.

SADDLERY FOR ARMED CONSTABULARY.

Mr. HUTCHISON asked the Government, Whether they will be prepared to call for tenders from local tradesmen for the supply of the saddlery required by the mounted division of the Armed Constabulary? It was understood that there was a considerable amount of saddlery required for the Armed Constabulary about Wellington; and the tradesmen of the place thought it only fair the Government should give them a chance of doing the work.

Mr. HALL replied that the original stock of saddlery was obtained from England and New South Wales. Tenders had not been called for from the local tradesmen, as the present annual requirements were so small as to make it hardly worth while to call for tenders. The annual requirements were supplied on the spot. As a set was required to replace an unserviceable one, it was purchased here at a cost of £5 4s. 2d., which was the lowest price a good set could be obtained for.

WESTPORT-NGAKAWHAU RAILWAY.

Mr. J. B. FISHER asked the Government, If they will make inquiry during the recess as to the desirability of their acquiring the Wellington and Westport Colliery Company's extensions of the Westport-Ngakawhau Railway? His reason

for asking the question was, that on the Westport-Ngakawhau Railway there were two extensions—namely, the Wellington Company's branch, three-quarters of a mile in length, and the Westport Colliery Company's branch, half a mile in length. The Wellington Company's branch came between the Westport Colliery Company's branch and the main line. The Government had arranged to charge 2s. a ton for the carriage over the ten miles from Waimangaroa to Westport; but the Westport and Wellington Colliery Companies had the option of charging 9d. per ton per mile over their portions of the line. It was obvious that this charge of 9d. a ton was a large profit upon coal, and, if they were allowed to charge one another such a rate as that, they might not only harass one another, but would be likely to interfere considerably with the development of the coal fields. It was desirable that the Government should inquire into the matter during the recess, so that, if there was likely to be any abuse or injury to the coal trade, they might put an end to it by acquiring the lines from those private companies and charging a uniform rate.

Mr. OLIVER replied that the Government recognized the desirability of having those small branch lines in their own hands; but it was a question of ways and means. There was no objection to making the promise that inquiry should be made during the recess.

POINT ELIZABETH COAL SEAM.

Mr. REEVES asked the Government, If they will cause immediate action to be taken in order to have the fire extinguished which has been burning for some years past in a coal seam near Point Elizabeth, West Coast, Middle Island? This fire had been raging for seven or eight years, destroying a most valuable seam of coal, and causing incalculable loss to the colony. Five years ago a party of diggers offered to put out the fire for £150; but the Government in their wisdom thought fit to refuse the offer.

Mr. OLIVER said the Government would cause inquiry to be made into this matter, and, if possible, would take steps to extinguish the fire.

AROHA BLOCK.

Mr. SHEEHAN asked the Minister of Lands, —(1) Whether or not it is the intention of the Government to open up any portion of the Aroha Block for sale and settlement; (2) if so, when; and (3) what proportion, if any, of the lands, when sold, will be offered under the deferred-payment system?

Mr. ROLLESTON replied that it was the intention of the Government that the Aroha Block should be opened for sale on deferred payments as soon as drainage works were completed. There was nothing definite settled as yet as to the proportion to be settled on deferred payments; but the intention of the Government was, that a considerable portion should be so set apart.

THAMES HIGH SCHOOL.

Mr. SHEEHAN asked the Minister of Education, Whether he will place a sum upon the estimates for the Thames High School, in the

Mr. J. B. Fisher

same manner as provision is being made for the Auckland Girls' High School, the Wellington College, the New Plymouth High School, and other similar institutions?

Mr. ROLLESTON said the Thames High School was on a different footing as compared with the others named by the honorable member. The school at the Thames had not yet been started. Sums had been put on the estimates for schools now in operation. The Government intended next session to bring down a proposition to deal with all those high schools upon some uniform plan. With regard to the Auckland Girls' High School, that was a school established before the abolition of the provinces. It was an eminently successful institution; but, if it were not assisted at the present time, it was likely to break down altogether, and therefore required immediate attention. The same remark applied to the Wellington College. With regard to the New Plymouth High School, a sum was placed on the estimates in accordance with a strict promise made by the Government.

MINERS' RIGHTS FEES.

Mr. SHEEHAN asked the Government, Whether or not it is their intention to take steps during the present session to equalize the fees for miners' rights throughout the colony?

Mr. OLIVER replied that when the honorable member gave notice of this question it was proposed that the miners' rights fees should be reduced to one-half the former amount. That proposal had since been rejected by the Legislative Council, and consequently the late rate would still exist.

OXFORD-SHEFFIELD RAILWAY.

Mr. MOORHOUSE asked the Minister for Public Works, Whether it is the intention of the Government to proceed with the construction of the Oxford and Sheffield Railway? He would merely point out that the construction of this railway was a very necessary work, and he had it on excellent authority that the whole cost involved in the construction of the railway would be only £15,000. The work had been promised for a long time, and the inhabitants were anxiously looking out for the fulfilment of the promise.

Mr. OLIVER said the Government recognized the desirability of having the line constructed, and their decision would be made known when the Public Works Statement was brought forward.

ARTILLERY CORPS.

Mr. SHANKS asked the Government, Whether they will decline to accept the services of any more artillery companies until those already in existence shall have been fully equipped with small arms and guns? He thought it was highly desirable that the artillery companies already in existence should be rendered thoroughly efficient before the Government accepted the services of any more companies.

Mr. HALL replied that the Government, at the present time, did not favour the formation of additional Volunteer corps, on account of the

expenditure involved in capitation allowance. They considered that existing corps had a claim to be armed before those to be called into existence.

Mr. SHANKS asked the Government, If they intend to secure the services of an officer of the Royal Artillery as Instructor to the officers of the New Zealand Volunteer Artillery?

Mr. HALL said application had been made to the Government on this subject. They found that to secure the services of a Royal Artillery Instructor would involve an annual cost of £600, and the Government did not feel justified in going to that expense. The present arrangement for providing instruction for the several batteries was as follows: The Artillery sergeant in Otago instructed Dunedin and Invercargill; the one in Canterbury, Christchurch and Timaru; Nelson was visited each year from either Wellington or Auckland; and at Napier a sergeant of the Armed Constabulary, a Marine Artilleryman, who was a competent instructor, was detached from the Taupo Division to drill the battery.

INVERCARGILL MINING COMPANIES.

Mr. BAIN asked the Minister of Justice, If he will issue instructions to the Registrar of the Supreme Court at Invercargill to register mining companies there, in accordance with the opinion expressed by the Premier on Friday last?

Mr. HALL said that, since giving an answer to a similar question on a former occasion, he found there was some difficulty in carrying out the arrangement intended. The Government, therefore, proposed to insert in the Mining Companies Bill, which had been sent to the other branch of the Legislature, a clause which would provide for the registration suggested by the honorable member.

SOUTHLAND RAILWAYS.

Mr. H. HIRST asked the Minister for Public Works, If the report ordered by the late Government on the railway from Orawai to Mararoa, and all information regarding a line of railway from Opio Junction to Orawai, and the Otautau to Nightcaps line, will be laid before this House?

Mr. OLIVER replied that there would be no objection to give the information required, but it would not be ready for some weeks yet.

THORNBURY-OTAUTAU TELEGRAPH.

Mr. H. HIRST asked the Minister for Telegraphs, If the Government will at once call for tenders for the supply of telegraph posts from Thornbury Junction to Otautau; and also have a telegraph station and post office erected at Thornbury Junction?

Mr. HALL replied that as soon as the railway approached completion the Government would call for tenders for the supply of posts. When the railway was opened, the stationmaster would be able to act as postmaster and telegraph officer.

LAND-TAX.

Mr. TURNBULL, on behalf of Mr. Ballance, asked the Colonial Treasurer, If he will lay before this House a return showing the amount of land-

tax annually payable on lands held from the Crown on lease and license in the different land-tax districts?

Major ATKINSON replied that there would be no objection to lay the return asked for on the table.

PATUTAHU DRAIN.

Mr. McDONALD asked the Government, If they will place a sufficient sum of money on the estimates to provide for the completion of the Patutahi drain, in accordance with promise made at the time of the Patutahi land sale?

Mr. OLIVER said that tenders had been called for this work, but did not bring about any response. Instructions had been given to the engineer to go on with the first portion of the work, and call for tenders for the second portion.

GISBORNE BRIDGE.

Mr. McDONALD asked the Government, If they will place a sufficient sum upon the estimates to provide for the construction of a bridge over the Turanganui River at Gisborne?

Mr. OLIVER replied that the construction of this bridge would involve an expenditure of between £3,000 and £4,000. It would be considered before the estimates were framed.

LAND-TAX.

Mr. TURNBULL asked the Government, If they will lay before this House a return showing the amount of land-tax payable in each of the provincial districts?

Major ATKINSON stated that there would be no objection to lay the return asked for on the table, if the honorable gentleman would furnish him with the particulars of what he wanted.

MEMBERS OF GENERAL ASSEMBLY EXPENSES BILL.

Mr. HALL, in moving the second reading of this Bill, said it had been introduced in compliance with a resolution of the House asking the Government to assist in defining by Statute what payment should be made to members on account of their expenses. The Bill provided for the continuance of the arrangement now acted upon, with one trifling exception. Instead of the sum of 150 guineas, now paid to members residing within a short distance of the seat of Parliament, the Bill proposed that the sum should be £157. The Government did not mean, by inserting these sums in the Bill, to express any opinion of their own as to what the amount fairly receivable by members for their expenses should be. They had inserted the sums which the House had, for the last two sessions, decided should be paid to members. They recognized that this was a question which the House should settle for itself. If they had inserted a smaller sum, it would not have been competent for the House to raise it; but, as they had proposed the sum which was now being paid, it would be competent for the House in Committee to reduce it. The Bill left the fullest liberty of action to the House in this matter. He quite concurred in the desirability of having the question settled by Statute, and that it should not be discussed session after session, as

it was one which it was very undesirable to bring before the House too frequently.

Mr. KELLY said it was no doubt a very proper thing for members of the House of Representatives to take the responsibility of fixing their own honorarium, but he thought a similar opportunity ought to be given to the members of the Legislative Council. As the Bill now stood, that branch of the Legislature would have no opportunity of expressing in a definite manner its opinion as to the sum which should be paid to its members, and the whole responsibility was therefore thrown on the House of Representatives, which he did not think it was prepared to accept. His own opinion was, that the Government should have brought down a resolution fixing the honorarium for the House of Representatives, and that they should also have submitted a resolution to the Legislative Council, in order that the members of that branch of the Legislature might have an opportunity of expressing their opinion as to the amount of honorarium which should be paid to them. Then, those resolutions having been passed, and each House having agreed to a fixed sum, they could be introduced into a Bill and passed without any difficulty. If the Bill were passed in its present shape it would go up to the Legislative Council as a money Bill, which that Chamber could either pass or reject, but would have no opportunity of expressing an opinion upon the subject by way of fixing their honorarium. In this way they would be acting very unfairly to the other branch of the Legislature, because he could quite understand that its members were just as desirous as were the members of the House of having something to say on this matter, and taking a fair share of responsibility. There was another point to be considered. As it stood at present, the Bill gave the same honorarium to members of both branches of the Legislature. There was no doubt that under the system of triennial Parliaments the election expenses of members of the House would be considerably increased. The members of the Upper Chamber were free from contested elections, they being appointed for life; and they also had conferred upon them the title of "Honorable." Taking all the circumstances into consideration, he thought there ought to be some difference in the amount paid to each. The Legislative Council should at any rate take the responsibility on its own shoulders of fixing its honorarium.

Mr. SPEIGHT approved to a very large extent of the ideas of the honorable member for New Plymouth, and thought his view would be met by a proposal which he (Mr. Speight) would make in Committee to strike out the words "the Legislative Council or" in the 2nd clause; so that it would read, "The term 'member' means a member of the House of Representatives." That would leave the Upper House free altogether. He quite agreed with the honorable member that that House should fix its own honorarium, or, at least, give a significant sound as to what they thought they should get. His opinion was, that they would be much better pleased if they had none.

Mr. Hall

Mr. DICK did not think it would be advisable to leave this matter in the hands of the Legislative Council. He did not approve of the principle of letting that branch of the Legislature have anything to do with money Bills. If the House had any cash matters to consider, let it take them into its own hands, and send the Bill up either for acceptance or rejection by the Legislative Council. It seemed to him that they ought to adhere to the principle that that House alone should see after the expenditure and appropriation of the moneys of the country, and therefore he would oppose the proposition of the honorable member for New Plymouth.

Mr. HALL, with reference to the suggestion of the honorable member for New Plymouth, thought there was hardly ground for the objection that it would be allowing the Legislative Council to interfere with a money Bill. It would, he thought, not be inappropriate, if the Legislative Council thought fit, that it should express its opinion on the subject of the honorarium to be paid to its own members; and perhaps when the fact that this Bill was before the House was officially known to the Legislative Council it might take that view of the question. With regard to the question whether any honorarium at all should be paid to the members of the Legislative Council, he decidedly differed from the opinion expressed by the honorable member for Auckland City East. It had been asserted more than once that property was the only qualification for members of the Legislative Council. He entirely denied that proposition, and he should deprecate anything which would tend to make property an indispensable qualification for a seat in the Legislative Council. There were many members of the community whose character, whose abilities, and whose services to the State would warrant the belief that giving them a seat in the Legislative Council would be a wise and politic thing, but whose pecuniary circumstances might not, without honorarium, enable them to attend three or four months in Wellington without greater sacrifice than they could possibly bear. He thought it would be very much to be lamented that persons possessing those qualifications should be excluded from the Legislative Council by any such provision as the honorable gentleman suggested. They should not endeavour to narrow the class of persons from whom members of the Council might be selected: on the contrary, they should endeavour to widen the range as much as possible, so as to include all those citizens whose services might be of use to the country.

Bill read a second time.

REGULATION OF ELECTIONS BILL.

This Bill was further considered in Committee.

Clause 28.—Questions put to persons offering to vote. "Have you already voted at the present election for any electoral district in the colony?"

Mr. HALL moved, That the words "for any electoral district in the colony" be omitted.

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	25
Noes	...	...	...	...	32
Majority against	...	...	...	...	7

AYES.

Mr. Allwright,	Mr. Montgomery,
Mr. Andrews,	Mr. Moss,
Mr. Barron,	Mr. Reid,
Mr. Dick,	Mr. Seddon,
Mr. Finn,	Mr. Shephard,
Mr. J. B. Fisher,	Mr. Shrimski,
Mr. J. T. Fisher,	Mr. Speight,
Mr. Gisborne,	Mr. Stewart,
Major Harris,	Mr. Thomson,
Mr. Hislop,	Colonel Trimble.
Mr. Ireland,	<i>Tellers.</i>
Mr. London,	Mr. De Lautour,
Mr. McDonald,	Mr. George.

NOES.

Mr. Acton Adams,	Mr. Oliver,
Major Atkinson,	Mr. Ormond,
Mr. Bain,	Mr. Richmond,
Mr. Beetham,	Mr. Richardson,
Mr. Bowen,	Mr. Rolleston,
Captain Colbeck,	Mr. Saunders,
Mr. Driver,	Mr. Stevens,
Mr. Fulton,	Mr. Studholme,
Mr. Gibbs,	Mr. Swanson,
Mr. Hall,	Mr. Wakefield,
Mr. H. Hirst,	Dr. Wallis,
Mr. W. J. Hurst,	Mr. Whyte,
Mr. Kelly,	Major Willis.
Mr. Levin,	<i>Tellers.</i>
Mr. Masters,	Mr. Sutton,
Mr. McCaughan,	Mr. Whitaker.
Mr. McLean,	

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Ballance,	Captain Russell,
Mr. Brown,	Mr. Brandon,
Sir G. Grey,	Mr. Bryce,
Mr. Turnbull,	Mr. Wright.

The amendment was consequently agreed to.

Mr. MONTGOMERY moved, That, after the words, "at the present election," the words "in more than" be added, with a view of subsequently adding the word "one."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	30
Majority against	...	...	...	...	1

AYES.

Mr. Allwright,	Mr. McDonald,
Mr. Andrews,	Mr. Moss,
Mr. Barron,	Mr. Reeves,
Mr. De Lautour,	Mr. Reid,
Mr. Dick,	Mr. Seddon,
Mr. J. T. Fisher,	Mr. Shephard,
Mr. George,	Mr. Shrimski,
Mr. Gisborne,	Mr. Stewart,
Major Harris,	Mr. Tainui,
Mr. Hislop,	Mr. Tawhai,

Mr. Ireland,
Captain Kenny,
Mr. Levin,
Mr. London,
Mr. Macandrew,

Mr. Thomson,
Colonel Trimble.
Tellers.
Mr. Montgomery,
Mr. Speight.

NOES.

Mr. Acton Adams,
Major Atkinson,
Mr. Bain,
Mr. Bowen,
Mr. Driver,
Mr. Fulton,
Mr. Gibbs,
Mr. Hall,
Mr. H. Hirst,
Mr. Hursthouse,
Mr. Kelly,
Mr. Masters,
Mr. McCaughan,
Mr. McLean,
Mr. Oliver,
Mr. Ormond,

Mr. Pitt,
Mr. Richmond,
Mr. Richardson,
Mr. Rolleston,
Mr. Saunders,
Mr. Stevens,
Mr. Studholme,
Mr. Swanson,
Dr. Wallis,
Mr. Whitaker,
Mr. Whyte,
Major Willis.

Tellers.

Mr. Sutton,
Mr. Wakefield.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Ballance,	Captain Russell,
Mr. Brown,	Mr. Brandon,
Sir G. Grey,	Mr. Bryce,
Mr. Turnbull,	Mr. Wright.

The amendment was consequently negatived.

Mr. J. B. FISHER moved, That the following words be added: "or more than twice in the colony."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	29
Noes	...	...	...	...	31
Majority against	...	...	...	...	2

AYES.

Mr. Allwright,
Mr. Andrews,
Mr. Barron,
Mr. De Lautour,
Mr. J. T. Fisher,
Mr. Gisborne,
Mr. Hamlin,
Major Harris,
Mr. Hislop,
Mr. Ireland,
Mr. London,
Mr. Macandrew,
Mr. McDonald,
Mr. Montgomery,
Mr. Moss,

Mr. Reeves,
Mr. Reid,
Mr. Seddon,
Mr. Shephard,
Mr. Shrimski,
Mr. Speight,
Mr. Tainui,
Mr. Tawhai,
Mr. Thomson,
Mr. Tomoana,
Mr. Whitaker,
Mr. Whyte.
Tellers.
Mr. George,
Mr. Stewart.

NOES.

Mr. Acton Adams,
Major Atkinson,
Mr. Bain,
Mr. Beetham,
Mr. Bowen,
Mr. Driver,
Mr. Fulton,
Mr. Gibbs,
Mr. Hall,
Mr. H. Hirst,

Mr. Oliver,
Mr. Ormond,
Mr. Pitt,
Mr. Richmond,
Mr. Richardson,
Mr. Rolleston,
Mr. Saunders,
Mr. Stevens,
Mr. Swanson,
Mr. Wakefield,

Mr. W. J. Hurst,
Mr. Hursthouse,
Mr. Kelly,
Captain Kenny,
Mr. McCaughan,
Mr. McLean,

Dr. Wallis,
Major Willis,
Mr. Reader Wood.
Tellers.
Mr. Studholme,
Mr. Sutton.

PAIRS.

For.
Mr. Ballance,
Mr. Brown,
Sir G. Grey,
Mr. Turnbull.

Against.
Captain Russell,
Mr. Brandon,
Mr. Bryce,
Mr. Wright.

The amendment was consequently negatived.

Clause 33.—Number of votes to be given by each voter.

Mr. HISLOP moved the addition of the following words: "and shall not be allowed to vote in more than three electoral districts at any general election."

Question put, "That the words proposed to be added be there added;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	26
Noes	...	...	...	...	27

Majority against	...	...	...	1
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AYES.

Mr. Allwright,
Mr. Andrews,
Mr. Barron,
Mr. De Lautour,
Mr. Dick,
Mr. J. T. Fisher,
Mr. Gisborne,
Major Harris,
Mr. Ireland,
Mr. Lundon,
Mr. Montgomery,
Mr. Reeves,
Mr. Reid,
Mr. Saunders,

Mr. Seddon,
Mr. Shephard,
Mr. Shrimski,
Mr. Speight,
Mr. Stewart,
Mr. Tainui,
Mr. Tawhai,
Mr. Thomson,
Mr. Whitaker,
Mr. Whyte.

Tellers.

Mr. George,
Mr. Hislop.

NOES.

Major Atkinson,
Mr. Bain,
Mr. Beetham,
Mr. Bowen,
Mr. Driver,
Mr. Fulton,
Mr. Gibbs,
Mr. Hall,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Hursthouse,
Mr. McCaughan,
Mr. McLean,
Mr. Oliver,

Mr. Ormond,
Mr. Pitt,
Mr. Richardson,
Mr. Rolleston,
Mr. Stevens,
Mr. Studholme,
Mr. Swanson,
Mr. Tomoana,
Colonel Trimble,
Mr. Wakefield,
Dr. Wallis.

Tellers.

Mr. Richmond,
Mr. Sutton.

PAIRS.

For.
Mr. Ballance,
Mr. Brown,
Mr. Finn,
Sir G. Grey,
Mr. Macandrew,
Mr. Moss,
Mr. Turnbull.

Against.
Captain Russell,
Mr. Brandon,
Captain Colbeck,
Mr. Bryce,
Mr. Acton Adams,
Major Willis,
Mr. Wright.

Mr. J. B. Fisher

The amendment was consequently negatived.
Progress was reported, and leave given to sit again.

SUPPLY.

On the motion for going into Committee of Supply,

Mr. MACANDREW said,—Before you leave the chair, Sir, I desire to express non-acquiescence in the financial proposals which have been submitted by the Colonial Treasurer. Before sitting down I shall move that these proposals are unsatisfactory, and I shall endeavour, in as few words as I can, to state the reasons—at all events, the principal reasons—why, in my opinion, they are unsatisfactory. It appears from the Financial Statement that the ordinary revenue for the current year will fall short of the expenditure by somewhere about £800,000. That, at all events, is the amount of deficiency which has been arrived at on paper. How far those figures can be regarded as accurate, I shall not inquire. I shall leave that to gentlemen who will follow me, who are greater experts in figures than I can pretend to be. I think I can understand a plain statement of accounts, showing on the one side the actual receipts and the estimated revenue for the year, and on the other the actual expenditure and the actual obligations: at the same time, I confess that I am no adept in finance—at all events, in colonial finance. I am no adept in that kind of finance which, on the 16th October last, promulgated to the world that the Public Works Department of this colony, of which I was the head, had entered into contracts to the extent of upwards of two millions of money, the whole of which fell due and would have to be paid by the 30th of June next. I am no adept at that kind of finance which sent broadcast over the world the statement that the Public Works Department had entered into contracts to the tune of two millions of money; while the fact was, that the whole of the contracts entered into in both Islands amounted to only £660,000. I must say that I see very great cause to regret the reckless statement—the sensational statement, I may call it—which was made by the Colonial Treasurer. It will be recollected that in the last session of the last Parliament a short Public Works Statement was brought down: and so far as I am aware that Statement was absolutely correct in the main. It was sent to England, and I see by the papers just received by the last mail that it has been very favourably commented on by the Press throughout the length and breadth of the United Kingdom. About the same time that these favourable comments were being made, however, the wire conveyed to the Home-country the assertions of the Colonial Treasurer. What the effect of those assertions will be upon the public mind in England I fear to think: it must be very prejudicial indeed to the interests of the colony. I must say that the whole thing reminds me of Nero fiddling while Rome was burning. I shall not attempt to dissect the figures of the Colonial Treasurer, as that will be more ably, more fully, and more satisfactorily done by those who are to follow me; but, whether the amount of the deficiency

estimated by the Colonial Treasurer prove correct or not, we may take it for granted that there is a large deficiency: we may take it for granted that the proposed expenditure for the year very largely exceeds the revenue. Well, Sir, one of the cardinal features of the Financial Statement which was submitted by the honorable gentleman was, that for the future expenditure and revenue ought to be "equalized." That, I think, is the term he used. Now, how is it proposed to equalize them? According to the Colonial Treasurer, nothing in the world can be easier. Granted that the expenditure exceeds the revenue by £800,000, all that we have to do is to raise the revenue to that extent by additional taxation. The problem is solved at once. That is the grand discovery we have arrived at in our colonial finances. I confess I should have been much better pleased if, instead of imposing taxation in order to reach this equilibrium, the honorable gentleman had made some proposal to diminish the expenditure. But there is not one word about diminishing expenditure. Quite the contrary. The estimates which have been placed before us, to some extent, at all events, show an increase on the proposed expenditure of the year. No doubt we shall be told that these are the estimates of the late Government. I do not know, even if they had been, that that would have made much difference; but they are not the estimates of the late Government. They are the estimates of the departmental officers, and have been gone through by some heads of departments; but they were never submitted to Cabinet, and were never overhauled there, so that they cannot be called the estimates of the late Government. If the honorable gentleman had even proposed to equalize the revenue and expenditure by increasing the taxation by a given sum, and by diminishing the expenditure by a given sum, then that would have been more satisfactory. We could have understood that; there would have been some gleam of hope in that. But nothing of the sort. All the honorable gentleman proposes to do is to increase the revenue by means of taxation. That is the grand discovery which he has got hold of, apparently. Now, Sir, I hold that the present taxation of the country is quite as much—as I believe, a great deal more—than we can easily bear. I have no objection whatever to your changing the incidence of taxation as much as you please, provided that by so doing you can make the burden bear more equally on the population. To that there can be no objection. But, so far as I can see, under no circumstances should we be justified in imposing on the people additional burdens at this moment. I say, under no circumstances should we be justified in doing that, unless to meet the claims of the public creditor. I believe that all honorable gentlemen will admit that—that we must submit to any amount of additional taxation if necessary in order to meet our engagements and to pay our just debts. I believe we shall all admit that. But, Sir, so far as I am concerned, I shall not agree to one sixpence further taxation merely to keep up a governmental machine

which has vastly outgrown, I should say, the necessary requirements of this young country; for, after all, we are a young community, and not much out of our teens yet. I think in New Zealand we have been living beyond our means, and revenue and loan have got mixed up together in some mysterious way which very few people can understand or comprehend. I very much fear that that is so. This is a position which is not the creation of yesterday. Why, I myself have repeatedly anticipated this, and have called attention to it on various occasions. I have felt that you might as well talk to the deaf adder as to this House, until the shoe began to pinch. I felt that we should go on eating and drinking, marrying and giving in marriage, until increased taxation should stare us in the face. And there is not the slightest doubt that the flood is now at our door, and nothing can avert it but a financial revolution, which will bring about the equilibrium in a manner entirely different from that proposed by the Colonial Treasurer. If we are to equalize revenue and expenditure, it seems to me we must rely upon the pruning-knife rather than the tax-gatherer's wand. I am quite aware that this is a proposition which presents enormous difficulties, and no Government will have recourse to it unless absolutely forced to do so, not merely by this House, but by the still sterner mandate of an empty treasury. I cannot conceive any more ungracious task for any Government than that of having to apply the pruning-knife to the extent to which it is absolutely necessary it should be applied in this country. I have had some small experience in this matter. In the Province of Otago, a good many years ago, we suffered from the effects of financial intoxication, brought about by the gold discoveries, and we got pretty much into the same position as the colony has now got into—that is to say, we had outrun the constable; and we had to "pull up." The Provincial Council and the Executive made lots of good resolutions on the subject, but no one ventured to carry these out. But at last it fell to the Superintendent, who took the whole responsibility upon his own shoulders. The result was, that "at one fell swoop," if I recollect rightly, we cut down the expenditure of the Government some £15,000 a year; and if any man ever passed six months in purgatory that man was your humble servant. For six long months the fathers and the mothers, the brothers and the sisters, the cousins, the uncles and the aunts, in fact, all the connections of those who had been deprived of their official positions, besieged me; and I believe at the succeeding election I must have lost—indeed I know I did lose—several hundred votes which were given to my opponent, and which otherwise I should have received. That is my experience of retrenchment and cutting-down upon a wholesale scale. But on that occasion we did not reduce salaries, with the exception of the salary of the Superintendent, which was reduced 30 per cent. All the others, if I remember rightly, remained the same. What we did was to amalgamate offices, and to do away with a good many; and it seems to me the same thing might be done by us now—with this difference, perhaps: that reduc-

tions might also be made to a large extent in the higher salaries. I recollect that some years ago I submitted a proposal to this House to reduce all the salaries on a sliding scale, beginning at 25 per cent. on the higher salaries, and coming down until we reached those at £300; but nothing came of it: and I remember well that I could not go down the Wellington Beach without seeing myself pointed at, and hearing the remark, "There goes old Five-and-twenty-per-cent." I have said that nothing but a financial revolution can save us from enormous additional taxation. Perhaps I shall be asked what I mean by a financial revolution. What I mean is this: that we should reverse the system under which we have acted in the past. That is to say, that, instead of first voting the necessary services and afterwards finding the money, we should in future find the money first, and vote the services afterwards. I think, in other words, that the measure of our necessary services should be exactly the extent to which we can afford to pay for them. I know that this is heterodoxy in the opinion of some of our financial quidnuncs, but still I believe that that is the kind of finance we require in this country. Although the analogy may not be strictly sound, it seems to me that the same principle which governs the finance of the individual should also control that of the State. What does a prudent man do when he finds himself getting behind-hand? He reduces his expenditure. He curtails the number of his horses, carriages, liveried servants, and so on. He dispenses with the ornamental, and goes in for the useful. Luxuries have to give place to necessities; and that is what I maintain that we in New Zealand, as a community, are now called upon to do. No financial proposals will be satisfactory which have not this object in view. No doubt such a policy may be productive of considerable individual hardship. However, hardship or no hardship, I take it it must be done, unless you are prepared to go in for taxing the community far beyond what you are entitled to do, and far beyond what the community can bear. We are called upon to make a choice: on the one hand, we cannot avoid inflicting temporary hardship; on the other hand, we must impose a permanent burden which will weigh very heavily upon every man, woman, and child in the colony in the years to come. I have said that such a course of policy may cause individual hardship. But it seems to me this hardship may be mitigated, and possibly may result in a blessing to the colony. Honorable members may smile; but I do not see any reason, if the exigencies of the times require that we should dispense with the services of two or three hundred officials, why we should not give them free grants of land—say fifty or a hundred acres each—by way of compensation, so that they may settle on it. In this way they will become producers as well as consumers. What we want to do is to lessen the number of drones in the hive. I know I am preaching treason by talking in this way; but, at the same time, necessity knows no law, and I believe necessity requires some such action as this. Another phase of what I understand by a financial revolution would be the localization of the

Mr. Macandrew

functions of government to the utmost extent. For example, I should give the control of the police into the hands of the local bodies—counties and municipalities—and make them support that institution. I am certain that if you did that it would effect a great saving in a very short time. I should say the same as regards education. I believe this House committed the greatest possible blunder in making the cost of educating the people a charge upon the Consolidated Fund. Although we did not see where we were going at that time—neither do we now see where we are going by continuing so to charge it—undoubtedly it cast an enormous burden upon the people, which must hereafter be much more serious than honorable members seem inclined to anticipate. I believe education could have been enforced just as well if the burden had not been cast upon the consolidated revenue; while, if it had been remitted to the local bodies to deal with, the cost would have been infinitely less than it is now likely to be. As I have used the term "financial revolution," perhaps I had better define what I mean more particularly; and my meaning is this: that those who spend money should raise it, and those who raise it should spend it. If you adopt that maxim, you get rid of an enormous difficulty. You at once get rid of the subsidies to local bodies, and of the payments to School Boards; so that, instead of increasing taxation by the colony, it might be greatly diminished. I have perhaps said more than is necessary; but, at any rate, what I have said is sufficient to indicate why I think the proposals of the Colonial Treasurer are unsatisfactory. I regret that before this discussion came on we had not the Public Works Statement before us. If the public works proposals turn out as I fear they will, then the financial proposals of the Government will be doubly unsatisfactory, to my mind. There can be no question that we have got into a position of very great difficulty. I do not blame the present Government nor any other Government for it. The force of circumstances has been combining for years to place us in the difficulty we are now placed in. I do not think it is a matter of blame to any particular Government; but, if any Government is to blame, it is the "continuous Ministry:" and there is very little of that element in the present Ministry. There can be no doubt we are now paying the penalty for two very serious blunders which we have committed. One of these blunders was our insisting upon the public works policy being administered altogether differently from what was intended by Sir Julius Vogel at its inception; and, if by any possibility we could go back and adhere to the plan upon which he intended the scheme to be accomplished, I believe it would yet be of immense benefit to the country. And, Sir, the other blunder which we have made, and for which we are now paying the penalty in a variety of ways, is that this Legislature wantonly destroyed the best system of local self-government that ever was conferred upon any community. I consider that was a great crime, not a blunder. It was a crime, and one which is now reacting very disadvantageously upon the

position of affairs in the country. I take it we are now called upon to pay for both those great blunders—or crimes, as we might well call them. What the upshot of the whole will be I confess it is very difficult to foresee. There is one thing, however, very clear—that it will take us all our time to get the ship of State into smooth water again. Of that I am perfectly well satisfied. Sir, I shall not occupy your time any longer; but I shall move, That the financial proposals of the Government are unsatisfactory.

MR. OLIVER.—Sir, I resemble my predecessor in the office I hold in one thing, at any rate, and that is, that I very seldom trouble this House with many observations; and I will endeavour to follow the example he has set me on this occasion also, in making the remarks I have to address to you. I can thoroughly accept the proposition he has just submitted to the House, and I say that our financial propositions are eminently unsatisfactory—unsatisfactory to us much more than to the country, because we feel the responsibility of proposing such heavy, such grinding taxation. But we also feel that there was no help for it. When we came into office, following the extravagant Government that preceded us, we had one duty placed on us—to bring this House and the country face to face with their real situation; and it is only by facing our difficulties that we can expect to overcome them. We on this side of the House have been accused of wishing to impose heavy and grinding taxation on the people—that is to say, on the working-classes. That has been the flag, if I may so term it, under which the late Premier and his colleagues have entered the fight. They have accused us of wishing to protect the owners of property by throwing more than a fair share of the burdens of the country on the working-classes. But, Sir, our proposals, however unsatisfactory—as I confess they are—at any rate prove that that accusation cannot truthfully be levelled against us. We have, for the first time in the history of any Ministry in this colony, endeavoured so to adjust taxation that all shall bear their fair share in proportion to their power to bear it. We might have adopted such expedients as would have commended themselves to this House and to the country for tiding over the difficulty. We might, for example, have proposed a beer-tax: but that would have fallen most distinctly upon the working-man. We might have reimposed the tea and sugar duties, which were most wrongfully taken away by our predecessors; but they would also have borne with especial weight upon the working-class. We have not done either. And yet the honorable gentleman accuses us of endeavouring to raise our taxation from the working-man. I say we have made the only honest effort to raise a proper proportion of taxation from the propertied class of this colony. We are accused by the honorable gentleman of bringing down as theirs estimates that he and his colleagues had not considered. We said when they were introduced into this House that these were not our estimates, that we had not had time to fully consider the estimates which we found prepared. Honorable

gentlemen know that every hour of our lives, with the exception of the few hours necessary for sleep, has been taken up in the duties of our office since we came upon these benches; and it is therefore well known by every honorable gentleman that we have not had time thoroughly to reconsider the estimates which we had to introduce. Those estimates we found prepared to our hands by our predecessors, and yet they prove to be the most extravagant estimates ever submitted to this House. Never in the history of any country were such extravagant estimates submitted to Parliament; and, when one of our supporters objected to them, what did the Premier say? He accepted the criticism at once as representing his own opinion, and promised that any salary above £200 should remain as it was, and should not be increased in the way proposed by the estimates before us. Those estimates show an increase in almost every department. These are facts which are before the House; and I may add that before the estimates were introduced we gave notice to the Civil servants throughout the colony that they need not expect any addition to their former salaries. We are quite as well aware as any honorable gentleman of the urgent necessity, in the position in which we find ourselves, of extreme economy. We know this country is possibly the most heavily-burdened of any British colony, and, although its resources are also great, we know we must, in mercy to the people, in mercy to ourselves, endeavour to administer the public service of the country much more cheaply than in the past. The honorable gentleman has alluded to what he has termed the misrepresentation of the real state of affairs, and in doing so he characterized the statement of the Treasurer, as to the obligations which have been undertaken, and which must be met out of the proposed loan, as being incorrect. He added that, even taking a return which was laid on the table, it showed that the amount of those obligations was only £660,000. It may suit his purpose to try to confuse the statement in this manner; but honorable members know the terms in which my honorable colleague made his assertions, and the terms in which the honorable member for Port Chalmers has just alluded to them. In one case they were contracts and liabilities of all sorts that must be borne on the loan; in the other case they were simply a return of the contracts in the colony to which the contractors' names could be affixed. The difference is very large; but there is no doubt of the truthfulness of my honorable colleague's statement; and the House will very soon be placed in possession of the facts in such a form as to enable honorable members to judge between the two statements. The statement of my honorable colleague included liabilities which we could not ignore, and most of which must be met before the 30th June next. They amount to £2,200,000. Then there are liabilities for the purchase of Native lands amounting to £1,100,000—I speak in round numbers; and that is a fact which can also be established. Then we have the debentures guaranteed by the Imperial Government, £800,000, which have to be kept as a last resource,

so that we may be able to use them in case of emergency. These must be taken out of bond, if I may so term it. They have been pledged for advances, and in order to enable us to use them in the future they must be recovered. That, therefore, is £800,000 more. Then there is the £360,000 which it was supposed would be required for contingent defence; and there is the £100,000 debt to Canterbury for the money which was improperly deducted from her Land Fund; and there is also the £54,000 taken from Otago. Thus, without counting Otago's share, we have £4,560,000; and, when you add to that the probable cost of raising the loan, which at 5 per cent. amounts to £250,000, the whole of the £5,000,000 is very nearly absorbed. And now, Sir, that sum having been absorbed in this way, what expectation can honorable gentlemen form of carrying out the grand works which have been begun? In some short period those works must become a burden on the consolidated revenue, and the money to be expended on them must be raised by taxation. Instead of the honorable gentleman's administration of public affairs leading to the profit he claims, it will, I believe, rather lead to entire disaster. So much for the honorable gentleman's talk about a discrepancy in the accounts. With regard to his criticism of the Public Works Statement, which is not yet before us, I think that may very well stand over until the Statement is made. I do not know what his anticipations with regard to that Statement may be; but I hope, however disappointing it may be found, it will at all events assure this House and the country that this department is administered by one who dares to look matters straight in the face. Sir, if the late Government had stayed in office six months longer I believe this country would have had to take up the wretched condition of repudiation. The honorable gentleman said the country will always consent to more taxation if it is necessary. I believe it would, and I say the late Government should have faced that dire contingency; but we found, from the condition into which the correspondence between this colony and England with regard to our engagements had drifted, that it would shortly have amounted to an absolute failure to meet those engagements. Sir, when the history of the last few months comes to be known, the country will be in a position to judge between those gentlemen and us. With regard to the honorable gentleman's criticism upon the form of our future taxation, I entirely agree with him. I think we have been too extravagant. In the matter of education, I certainly should have preferred the scheme proposed by the honorable member for Kaiapoi to that which is now in force in the country. I believe that in doing away with the necessity to pay school fees you take away the sense of parental responsibility, and, at a time when the country is not in a position to afford it, relieve parents from the payment of a tax which they willingly paid. The claims which have been made by various districts for school buildings show, when they cannot be met, that we cannot afford this extravagance. I believe that in the no very distant

Mr. Oliver

future we shall have to revert to the system of charging school fees, or to a system of school rating. No doubt the ingenuity of honorable members, and of the Government, may very well be taxed in the future to find ways and means to reduce the intolerable burden now cast upon us; but I appeal to this House, and I believe I may appeal to the country, to approve of our proposals, and to recognize that, at any rate, if we are in difficulties, we have courage to face them, and that we show a desire, not only to bear a part of the burdens ourselves, but to cast on shoulders strong enough to bear them the greatest weight of those burdens. I have no desire to take up more of the time of the House. I know that the arguments of the honorable gentleman will be much more ably dealt with by those who succeed me than by myself. But I could not sit in my place and hear the statements made without saying a few words in protest against them.

Mr. MONTGOMERY.—Sir, before proceeding to speak upon the question immediately before us, I wish to refer to a matter which bears on that question. It will be remembered that when speaking on the Public Revenues Bill I stated that the Colonial Treasurer could not very well find fault with the late Minister for Public Works for anticipating the loan, as he had himself been a party to a similar transaction. That statement was met by a point-blank denial. When the accuracy of a person who addresses this House is impugned, and he does not endeavour to put himself right, what he states afterwards will not be regarded as of much value. I will therefore say a few words on this subject. The Colonial Treasurer, referring to what I stated, said,—

"Then, with regard to his statement of the Government of which I was a member anticipating the four-million loan, that statement was a suppression of the truth, or, rather, it was an insinuation of half a truth. The honorable gentleman knows very well that a large portion of the four-million loan was undoubtedly anticipated, but that was done before I joined the Government, and I had nothing whatever to do with it. The honorable gentleman knows perfectly well that contracts had been entered into and liabilities incurred before I joined the Ministry. Such a thing never occurred after I joined."

And he added that he would take an opportunity of showing that I was wrong, and asked the House to suspend judgment in the meantime. I waited for the honorable gentleman to show this; but, as he did not, I examined the *Gazettes* from the time he joined the Ministry, and I also got a friend to verify the figures which I intend to give to the House. I will then ask the honorable gentleman what he has to say on the subject. He joined the Ministry on the 7th September, 1874, and from that time until the loan was floated on the 26th February—information of which did not reach here until the 10th March—the Ministry of which he was a member entered into eighteen contracts for public works, to the amount of upwards of £300,000. I do not know how many contracts and liabilities that Ministry incurred for rolling-stock and rails for

which they sent to England; but I know that the item was also very heavy, because I find in the honorable gentleman's Financial Statement of 1875 the following paragraph, which shows to what extent the loan was anticipated:—

"Of the total colonial loans authorized between June, 1870, and June, 1874, amounting to seven and three-quarter millions, honorable members have probably not realized the fact that, speaking in round numbers, two millions is still unraised; but such is the case, as I will presently show, and this fact the Committee will shortly see had an important bearing on the action lately taken by Sir Julius Vogel in London in placing the whole of the four-million loan upon the market at one time. The expenditure out of the loans referred to during the four financial years, 1870-74, amounted to £4,289,887, and it was estimated that during the year 1874-75 a further sum of £3,300,000 would be required; there was the expenditure of 1875-76 to be provided for also, which will probably reach at least £2,250,000. The Committee will therefore see that over the whole period from 1870 to the end of the present financial year the expenditure and liabilities of the colony for public works required that provision should be made to the extent of £9,839,877. Of this sum only £5,795,200 in all had been raised, and it became necessary, without delay, to provide for the difference, amounting to £4,044,677. It was therefore decided, if possible, to sell the four-million loan."

It will thus be seen that, in 1875-76, by the 1st July the four-million loan had been anticipated by the honorable gentleman's Government, in which he was acting as Colonial Treasurer, to the amount of £1,671,000. In such a condition were the finances of the colony at the time that it is worth while recalling the circumstances to the minds of honorable members. Sir Penrose Julyan, Dr. Featherston, and Mr. Sargeant, in a letter to Sir Julius Vogel—which is now in the Blue Books—said, "You objected to these terms, and stated in his presence [in the presence of a leading member of the Stock Exchange] that 'the necessities of the Government of New Zealand were such that you must have the £4,000,000 taken firm,' and added, 'In fact, the Government is in a mess, and must get out of it as best it could.'" There is no doubt that the loans have been anticipated from the commencement of the public works scheme; and when the honorable gentleman was reflecting upon the late Government—which I was not defending—I pointed out that the late Government was simply pursuing a very pernicious custom of spending the money before the loans were raised; and I stated then that the honorable gentleman himself must have been a party to that system. When he impugned my accuracy—I do not say my veracity—I thought it only proper to put this matter right. I now come to the Financial Statement the honorable gentleman has laid before the House; and I do so, not with the view so much of finding fault with the honorable member's finance for the future as of endeavouring to show to the House my view as to how we have got into this financial difficulty. In doing that, I think I shall be able to show

that the great blame cast upon the late Government, both by the Colonial Treasurer and by the Minister for Public Works, is to a great extent undeserved. In page 5 of the Financial Statement the honorable gentleman says,—

"Sir, the Government think that from the falling-off of the land sales there is a very important lesson to be learned, and that is, that the system of finance which we have been pursuing since the Land Fund was generalized in 1877—namely, that of relying upon the receipts from land sales as one of the chief items of our consolidated revenue—is thoroughly unsound in principle, and should be abandoned at the earliest possible date, that date to be not later than the end of March next."

Then he goes on to say,—

"We should get clear of that vicious habit we have fallen into of late of treating as revenue that which is really capital, and spending it upon the ordinary services of the State."

Any person reading that Statement would infer that this system commenced in 1877. What are the facts of the case? What do we find in "The Financial Arrangements Act, 1876"? Under that Act there was placed upon the Land Fund of the provinces a very large amount of the current expenditure of the colony. In the first place, there was the interest and sinking fund of the provincial debts; in the second place, there was 2 per cent. of the cost of contributions to railways within each district; in the third place, there were subsidies to Road Boards and Counties. It was also charged with primary education, and the maintenance of hospitals and museums. In the Financial Statement of the honorable gentleman in 1877 I find that the charges upon the Land Fund for ordinary services of the country amount to £444,640. Now, how can the honorable gentleman come down to the House and state that the pernicious system of paying for the ordinary services of the country out of the Land Fund only commenced in the beginning of 1877, when the late Government took office? Sir, these were the charges on the Land Fund of the various provinces, and those provinces that could meet those charges met them. In regard to those that could not, the honorable gentleman had resort to the issue of Treasury bills; and during the space of three years £432,000 additional Treasury bills were added to the debt of the colony. So far from the current expenditure being met out of the current income, it was met, beyond all doubt, by the issue of Treasury bills, which will be added to the debt. For years past we never had money out of the current income to pay our way: we have had always to meet it by the issue of Treasury bills. The honorable gentleman proposes exactly the same expedient now; he proposes to issue Treasury bills to the amount of £800,000 to meet the deficiency of the current nine months. It is not candid of the honorable gentleman, or fair to the country, for him to stand up and say, now that the difficulties in which we find ourselves plunged have to be met face to face—it is not fair to say that these have been brought about during the last two

years. Had his system of finance been continued, and had not the colony in 1877 seized on the Land Fund, instead of the deficit last year being £131,000 there would have been a deficit of £700,000. Canterbury alone furnished in one year £650,000 more than was required under the Financial Arrangements Act of 1876. Whatever may have been the failings of the late Government—and I am not here at all to defend that Government—whatever its failings, the deficit could only have been decreased by something like £100,000. The truth is, we did not put on taxation soon enough. I advocated the imposition of taxation four years ago, and few would seriously consider the matter or give heed to what I said. If we had put taxation on properties which had benefited by the railways—I mean the large landed properties—if we had put taxation on these properties, there would have been economy of expenditure. The moment you send round the tax-gatherer to put his hand into the pockets of the people, the question is asked, "What are they going to do with the money?" If we had put on taxation to meet our expenditure, as was formerly provided for by the Public Works and Immigration Act of 1871, which was repealed in 1875, and which made it imperative that the localities through which the railways passed should contribute towards the payment of interest on the moneys expended, we should not be in the position in which we find ourselves to-day. We have been living in a fool's paradise, and we are just waking up to the fact that we have to meet a large deficiency the best way we can. As to the mode in which the Government propose to meet it, whether it is the best way or not, I shall have to say a few words. I wish to state my opinion that the very alarming condition of things which at present exists is not due altogether, or very largely due, to the late Government, but it is due to the system of finance which was inaugurated a number of years ago, and which was quite sure eventually to lead us to the position in which we find ourselves now; because the interest and sinking fund on account of loans for our railways and public works was much greater than the net income derived, and we had to make up that interest and sinking fund by some means or other. When the Land Fund failed we found ourselves in a difficulty. Had it kept up, everything would have appeared as if we were going on in a safe manner; but the dangerous system of relying upon the Land Fund, which was sure to fail, and did fail, in times of depression, has landed us in the present difficulty. Had the late Government been ever so economical, I do not think the deficiency would have been diminished by much more than £100,000. Sir, I wish now to say a few words upon the estimates presented to us. I hold with my honorable friend the leader of the Opposition, when he said that economy in the expenditure is that to which we should look for any large amount of relief. I believe that we never shall have economy in expenditure till we put on direct taxation. I have been an advocate of direct taxation during the last four years in this House. I object altogether to the Government, after having been six weeks in

Mr. Montgomery

office, not being able to bring down estimates which would shadow forth, at all events, something of that economy. Why, the estimates are larger than they ever were before. It is all very well for the Government to say, "Vote us the money, and we will take care for the future that we will economize." What did the Colonial Treasurer say last year? He said, "The truth is, all this talk about departmental reductions is simply talk. It cannot be done." Now we are asked to vote away very large sums for departmental expenditure; and we are told that the Government will make savings, although the honorable gentleman told us savings could not be made. If there is any person who should take care that there should be savings made, it is the Colonial Treasurer. He is, after all, the best authority as to whether savings can be made or not; and we have his own words that they cannot be made. Well, Sir, it is proposed to meet the deficiency of the next nine months by the issue of £700,000 or £800,000 of Treasury bills, to be added to the permanent debt. I admit at once that it would be impossible at the present time to raise sufficient by taxation to meet current expenditure for the current nine months, and that we must issue Treasury bills; but I do not say that these Treasury bills should be added to the national debt of the colony. I shall not go into figures. I expected that an honorable gentleman who from ill-health is not able to be here to-night would have preceded me, and would have taken up the honorable gentleman's figures. I find a good deal of what we may call "bogus estimates"—sums that will not be required, cannot be required at all, and should not have been allowed to appear in the estimates. I will take one item that appears most extraordinary. The honorable gentleman expects to realize from land sales £248,000, and the expenses of the Land Department are £174,000. Surely we are not going to spend £174,000 on surveys when we are only going to realize £248,000. I find also that the increase on the estimated receipts from the railways between 1878-79 and 1879-80 is upwards of £144,000, and the increase in the expenditure £163,000. I may be wrong, but that is how I make it out. It appears to me that the Colonial Treasurer wished to show a very large debit. The effect of this would be, that the expenditure would not be so great as that set down in the estimates, that the income would be larger than the estimate, that these bogus votes would not be used, and that at the end of the financial year he would show large savings. It is possible that, by putting a tax upon the necessities of life, a property-tax might not then be required to be raised. We find that the Government propose to put a tax on property which I think will be found by the people to be very oppressive; we are going to tax everything in a man's house. We are going to tax all the machinery used by the various industries in the country; and, as I read the Bill, it is also proposed to tax the property of such companies as the New Zealand Shipping Company, whose shareholders reside in New Zealand, while the shipowners outside who are competing with those companies are to go free. And I see

that we are going to tax property of all kinds—improvements of every description. I have myself been in favour of imposing a general property-tax, and to some extent the proposal of the Government is similar to one that I have previously made, and I do not intend to go away from what I said before. But I would draw the attention of the House to this fact: that there is a very large property—runholders' property—which at the present pays a considerable contribution to the revenue under the land-tax, which, under the property-tax as proposed by the Government, will not be touched at all largely. I also wish to bring under the notice of the House the fact that the improvements made by a man on twenty thousand acres of land carrying sheep are very inconsiderable compared to what they would be if the land were owned by thirty or forty farmers; and that therefore the large holder, when he is paying on the improvements, is not paying as much as the small holder has to pay, because the value of the improvements of the latter is very much greater, in proportion to the value of his estate, than is the value of the improvements of the large landholder, who runs sheep, in proportion to the value of his property. Therefore, in putting on this tax you are imposing a tax which the necessities of the country may demand, but which is not a just tax in regard to one class of property as compared with another. You now propose to reduce the tax which the large runholder pays as compared with the small holder; and I hold that that is not just. The country is now inquiring whether this system of taxation is fair and right—whether it presses on all equally, or whether it does not leave such large estates as I have been referring to without requiring them to pay that amount of taxation annually which they ought to pay, considering the increased value which those lands have acquired from the operation of the immigration and public works policy. With regard to the proposed new duties, so far as they are intended to afford protection to native industries I agree with them, because I have for the last twenty years been a protectionist. There are some articles, however, on which I do not think any duty should be charged at all. But this, perhaps, is a matter of detail. What I object to in the finance of the Government is this: that it proposes to put on a very heavy taxation, which I think is unjust; that it proposes to make good the present deficiency by Treasury bills, to be added to the national debt—a proposal which I consider unsound. And I object to it also—and, I think, on this ground more than anything else—because no provision has been made by the Government to reduce the very large and excessive departmental expenses of the colony. For these reasons I shall vote for the amendment of the honorable member for Port Chalmers.

Colonel TRIMBLE.—The speech which has just been delivered is exceedingly interesting from an antiquarian point of view, but not, I think, from any other. What was done in 1875, and what, again, was done in 1877, is of very little interest to those who have got to settle the difficulties of 1879. I do not intend to take up very

much time to-night, but I would like to give an emphatic statement of a certain opinion which I hold, and I will do so without, if I can help it, wearying the House. The honorable member for Port Chalmers deprecated the idea that a Statement such as the Treasurer made should go Home. He said it would be detrimental to colonial interests; that it would show a very large deficiency; that it would show a difficulty in meeting the deficiency; and therefore that the loan we are trying to raise in London would be very much imperilled—that, in fact, our credit would be very much damaged by the Statement. That may or may not be the case. The question is, Are we to send Home a truthful Statement or an untruthful Statement? What did the honorable gentleman say himself? These are the exact words he used: "We may take it for granted that there will be a very large deficiency." Now, what did he mean by that? That was precisely what the honorable gentleman at the head of the Treasury stated. He told the public of New Zealand, and, in fact, the whole world, that there would be a very large deficiency. I apprehend that the difference between the members of the Government and the honorable gentleman on the other side is this: Whilst we all acknowledge that there is a very large deficiency, the one side say we ought to slur over the difficulty, and the gentlemen on the Treasury benches say we should meet the deficiency by increased taxation. I ask any man of common sense, which plan will have most weight with the British public when we go to ask for a loan? Will the capitalists at Home be more pleased to learn that there is a deficiency which we do not mean to meet, or to hear the statement of the Treasurer that there is a deficiency, and that we intend to honestly meet it? I think that the credit of the country, instead of being imperilled by the Statement of the honorable gentleman, will be greatly strengthened by it. Those who have money to lend know just as well as we do the real position of our affairs, and an honest attempt to meet the actual difficulties of the position will be appreciated by the capitalists of Europe; whereas if we attempt to slur over our difficulties you may depend upon it that our loans will decline to a very serious discount. Then we are told that we ought to diminish the expenditure, and we are informed that the estimates which have been submitted to us are not the estimates of the late Government. With regard to the second assertion, I will leave the members of the Government, who know the exact position of affairs, to state what is true and what is a mistake in reference to that; but, with regard to diminishing the expenditure, when the estimates were brought in it was stated clearly and distinctly by the Government that they had not had time to go minutely into those estimates, and that for want of that necessary time they had taken the estimates of their predecessors. Now, there is a curious difference of statement between one late Minister and another. The late Postmaster-General said he had himself given very great care indeed to the estimates, and that he had cut down everything which could possibly be

reduced, and that he had made no additions except in cases where very great merit and very serious under-payment were to be found. How can this statement possibly be reconciled with the assertion that the estimates were never submitted to the late Government and never overhauled by them? Then there was another statement made by the honorable member for Port Chalmers. He said the revenue and the loans got mixed up in some mysterious way. Well, I believe that that is the case; and I believe that an honest attempt is being made to separate the necessary annual expenditure of the country from that expenditure which may be fairly charged to loan. The Government is also attempting to abstract altogether the land revenue of the country from the ordinary revenue; so that in future the actual revenue and the actual expenditure from year to year may be kept entirely apart from the capital expenditure. In this respect I think the Government has done what the honorable gentleman says ought to have been done, and what, it seems, was not done by the Government which has just left office. Then we are told that our difficulties were not the creation of yesterday. With that, I apprehend, we all agree. These difficulties were not created yesterday, they have been going on for a considerable time, and yet during the two years the honorable gentleman was in office there seems to have been no decided attempt made to get over the difficulties, or to meet them in a proper way. No increase of taxation was attempted. The land tax, to which the honorable gentleman referred, was imposed to meet a deficiency caused by the remission of other taxes, and therefore it was no increase of taxation at all. There was another thing I could not understand: perhaps some other honorable gentleman will make it more clear. He referred to officials and their salaries, and spoke of giving them grants of land; but whether this was to be in lieu of a portion of the salaries that were to be deducted, or whether the grants were to be in payment of the whole of their services, I could not understand. I do not suppose the honorable gentleman had thought the matter out thoroughly, but, at all events, he did not make it very clear. He spoke again of making the education and police charges local. That is one way, certainly of getting over the difficulty; but, after all, it does not meet the difficulty. The police force has to be paid, and the cost of education must be defrayed, whether out of general revenue or local revenue is a matter of really little importance. If the General Government say to the local bodies, "You will have to pay for these things," they will have so much less to spend in other directions. I do not see that much is gained by that. It is as broad as it is long. The money will have to come out of the pockets of the colonists of New Zealand under either plan. I do not suppose anybody proposes to disband the police force or to shut up the schools; but unless that is done there can be no saving in this direction. Then the honorable gentleman stated that the estimates were larger than they ever were before. I am not prepared to say whether that

Colonel Trimble

is so or not; but when we consider that these estimates were brought forward by the Government which has just left office, who knew there would be a large deficiency, it comes with a very bad grace from them and their supporters to say that they are larger than they ever were before. No provision had been made to meet them, and it was not pretended that the old taxes were enough to meet this increased outlay. That being the case, they cannot find fault with their successors for bringing forward these estimates which they themselves prepared, or for proposing increased taxation in order to meet these increased expenses. I will support the Government on the present occasion for this reason, if for no other: They first of all told the truth. They have given a plain, unvarnished tale of how the finances of the country stand, and they have come forward boldly and honestly with a plan which will enable us to pay our just debts. We may, if we please, slur over these matters—we may pretend to a prosperity we do not enjoy; but sooner or later we must come down and acknowledge the difficulty, and either repudiate our obligations, or, through increased suffering—for delay means increased suffering—make up for our want of courage on the present occasion. It is far better to meet this once and for all, and to say, "We have contracted certain obligations, and those obligations we will meet in a straightforward manner." I know as much as most people in this House what the feeling of the capitalists of the Home-country is, and I know that that feeling will be far more likely to be in our favour if we tell the honest truth than if we tell, under pretence of truth, what is utterly false.

Mr. THOMSON.—The honorable gentleman who has just sat down found fault with one honorable member for referring to what took place in 1875 and 1877, and told us that we have nothing to do with what took place in these years—that we should address ourselves to the present time. Now, if there is one member more than another who is fond of referring to past times it is the honorable gentleman himself. He is constantly referring to English history: in fact, a handbook of the history of England might be written from the speeches of the honorable gentleman, from the time of the Reform Bill to the present day. I am sorry the honorable member differs so much from the Minister for Public Works in regard to New Zealand history. That honorable gentleman evidently believes in New Zealand history, for he tells us that the time will come when the history of the past two months will be written, and that there will be revelations which will redound to the credit of the present Government, and to the disgrace of the late Government. He did not use these exact words, but I have no doubt that was what he meant. Well, Sir, the sooner that time comes the better, for there are some things which we ourselves know nothing about—the compact between the Government and the four Auckland members, for instance. That, to me, is a mystery up to the present time, and I hope the historian will not forget that episode. I think it is very much to be regretted that the Colonial Treasurer

should have insinuated that all the misfortunes of New Zealand at the present time are the result of the action of the late Government. These are blots in his Statement, because it is evident that we are just reaping the fruits of the policy we have been pursuing for many years past. I have often thought that the members of this House are, in one respect, like immigrants on board ship. It is a common thing for the immigrants, a little after noon, to go to the cabin door and take down the latitude and longitude, which has been posted up by the captain after he has taken his observations. They enter this in their note-books. They, however, have had nothing whatever to do with bringing the ship into the position in which she is. They simply note the facts. But here there is no captain to guide the ship. The Ministers have not been able to exercise any control over the finances of the colony, and all that we can do is simply to look on and take notes of things that have happened since we have been members of the House. I shall go into figures to only a limited extent, because I do not pretend to be a financier. We have been told that, when once the £5,000,000 loan has been raised, the indebtedness of the colony will be between £28,000,000 and £29,000,000. That is a good round sum. We are also informed that the interest and sinking fund upon it will be upwards of a million and a half. When I became a member of this House in 1871 the debt of the colony was about £7,500,000, and the interest and sinking fund under half a million. When Sir Julius Vogel came down with his great public works and immigration policy he said that the country could not go wrong in spending ten millions in ten years, or at the rate of a million a year. That is only nine years ago; but by the time the ten years have expired I have no doubt we shall have borrowed and nearly spent the £28,000,000 or £29,000,000; so that, instead of spending one million a year, it will be found that we have been spending two millions a year. At that time the Customs revenue exceeded £800,000 a year, so that, after paying interest and sinking fund, there was £300,000 to the good. Now, in what position shall we be when we have to pay a million and a half in the shape of interest? The Customs revenue for the present year is estimated at only £1,200,000, so that more than the entire Customs revenue will be swallowed up in interest and sinking fund. I think it is only right that we should consider these things. With regard to the late Government bringing the colony into this condition, really I think it is too bad to say that—it is really too bad altogether to say that—for the country has been drifting, and drifting, and drifting for years. Sir, the present Government intend to raise new taxation to the extent of £600,000. Well, that would pay the interest on some twelve millions. Now, is it to be supposed that the late Government have brought the country to that condition? By no means. This state of things was anticipated even by Sir Julius Vogel himself. Why, every member of this House must have read that celebrated passage in his great Financial Statement which he

made in 1870, when he used words to this effect: "Would it be an unwise thing, or an extraordinary thing, if we should increase the taxation of the country by an income-tax or a house-tax, or by putting a tax in some other way upon absentees, who are drawing great revenues from the country?" Sir, we all recollect that there was a passage of that kind in the speech of Sir Julius Vogel. Now, Sir Julius Vogel estimated that we should begin to increase our taxation in about three years from the time he initiated his great policy; and did not we just do that? In 1873, what did we do? We changed our measurement duties into *ad valorem* duties on a great many articles, and increased the Customs revenue by some £200,000. That was a great addition to the revenue. Then the Government began to cast a longing eye on the land revenues of the provinces, and they said to themselves, "Oh! it would be a fine thing to get hold of the land revenues of the provinces. If we could only get hold of them we should be able to stave off taxation for some years perhaps." And they set themselves to work afterwards to get hold of the land revenue. What did they do in 1874? They came down with a proposal of this sort: In 1875 the greater part of the session was taken up in discussing the Abolition question, and in 1876 they succeeded in carrying out their object, and the land revenue of the provinces became colonial revenue. And this has been carried to the credit of our account for the last three years. In one year—two years ago—what did the land revenue amount to? To a million and a half, chiefly drawn from the Province of Canterbury. Even last year the land revenue amounted to something like £800,000, and during the present year it is certainly expected to produce something less than £400,000. Sir, this is greatly to be regretted. Just look at the current year. Why, we expect to get only £230,000 for our land revenue, while two years ago we received a million and a half. The deficiency in the land revenue alone for this year, compared to that of two years ago, is £1,200,000. And still honorable gentlemen will say, "All the disasters that have happened are owing to the late Government." I must say, in regard to myself, that I have always been a believer in direct taxation, and I think the sooner we can come to direct taxation as much as possible the better. I believe we shall never have good, economical government until we have direct taxation. In this respect I to some extent approve of the policy of the present Government. At the same time, I must say that I think it will press very heavily indeed upon the country. Why, every man who has a hundred pounds' worth of property—there is, certainly, to be a remission up to the extent of three hundred pounds' worth—but for every hundred pounds' worth a man has beyond the first three hundred pounds' worth he will have to pay 8s. 4d. to the State. Now, granting that money yields, as a rule, 5 per cent.—that is, £5. The income-tax on that amount at Home would be 1s. 3d.; so that we, in this country, are to pay 8s. 4d.; whilst at Home persons paying, one may say, the same tax, would have to pay only 1s. 3d.

So that I consider the tax will press very heavily indeed upon the colony, and prevent persons getting many things in the way of household comforts which they would otherwise obtain. If it should have the effect of making people curtail their extravagance, it would be so far good; for I think that in this country we are perhaps too extravagant and too fast altogether. But I do think, Sir, that the Government have really not considered this matter as they might have done. In the case of a private individual, when he sets to work to make the two ends meet, he either reduces his outlay or increases his income; and, if he is not able to increase his income, he must just set to work and reduce his outlay to the necessary extent; and if he is a wise man he will, perhaps, try to do both—to reduce his outlay and to increase his income. Well, Sir, what have the present Government done? There is not one single word, so far as I can find, in the whole Statement about economy—not a single word. The Treasurer does not refer to it in the very remotest way. I think he might really have tried to reduce the expenditure of the country in some way or other, so as to keep down the taxation as much as possible; and I think that, if he had done this, and also looked in other directions for taxes, he might have reduced the property-tax to a halfpenny in the pound, instead of a penny; and if he had done this it would not have pressed upon the country so much. I think income is a very fair thing to tax. We ought to have an income-tax. I do not see why men who are making large incomes in merchandise, and as medical men, and as lawyers, should not contribute fairly to the State. I would not ask them to contribute in the same ratio as men making their income from property; but I think they might fairly be asked to contribute something. I will say this: that I cannot see my way to support what is called progressive taxation; but I think we might fairly levy a tax on unimproved land. In regard to progressive taxation, there are men who are farming large areas of land—four, five, and ten thousand acres. I quite admit it is far too much for any man to have; but, still, these gentlemen have acquired their land in a fair and legitimate way under the land laws of the colony, and, if they are making a proper use of the land and employing twenty and sometimes a hundred men, I do not think it would be a fair thing to impose taxation to such an extent as would force them to dispose of their properties; but I think we might fairly levy a tax on unimproved land—on men holding large areas of country suited for settlement. I think they might well be asked to contribute fairly to the revenues of the State. And then I think also, with some other gentlemen, that our education is really too expensive altogether. I must say I never saw my way clear to support the system of free education. I think the parents of children might fairly be asked to contribute a small sum towards the education of their children. These are matters which I consider the Colonial Treasurer might fairly have taken into account. He has no doubt had great experience in many things,

Mr. Thomson

and if he had done this he might so have reduced his taxation that, instead of a penny in the pound, it might have been a halfpenny. I do not think the Government can be excused for the state of the estimates. I believe that they have had a great deal to do since they took office; I admit that, to the fullest extent. At the same time, they themselves must acknowledge that they were not justified in bringing down estimates which they themselves admit are extravagant. I think, on second reflection, they will admit that they were not justified in doing anything of that sort. Then I think that our present difficulties may perhaps be a lesson to us in the future. I do think that we must not borrow quite so much as we have been doing; but if we do borrow—and I admit that we must borrow; in fact, all young countries must borrow—we must, before we borrow in future, borrow for certain works. We must not borrow £5,000,000, and allow members of this House to come one after another and scramble for it. We must put an end to that. We must see that certain works are necessary, in the first place, and we must borrow money to execute those works. That is the system which must be pursued in the future; and I also think this, and have said it before in this House: that we should have railway districts. I do not see how we can economize at all if the Government is to borrow money and then allow gentlemen to come down to this House and request that this line and the other line should be made, and throw the expense upon the colony generally. Sir, that will never lead to economy. We must have railway districts. You must say, in regard to future works, "If you wish this line of railway, you must form yourselves into a district, and if there is any deficiency you yourselves must be prepared to make it up." These lines, in future, would be no burden to the State if such a course were adopted. I think we may profit by the present circumstances of the country, and, if we exercise a prudent economy, I myself have no fears for the future of New Zealand.

Sir G. GREY.—Sir, as no one on the other side appears inclined to rise, I should like to speak upon the subject which is now under discussion by this House. Hitherto, speakers have attributed blame to one party or the other. Blame has been cast by that side upon us, and this side has repelled that blame, and has in its turn cast blame upon the Government. That has been the principle of the discussion to-night, or, at any rate, one of the leading features of it. Now, I think we have passed that time. When the Goths and barbarians have sat down before a beleaguered city, and are about to pillage the unfortunate inhabitants, there is no discussion then as to whose policy brought the intruders to the door, but all unite to repel the common enemy. That is our position now. There on the Government benches sit the Goths and the barbarians; and I have heard the snoring of the rank-and-file of their followers sleeping around them, careless of the evils they are about to inflict upon the inhabitants of the beleaguered city—the inhabitants of New Zealand. That is our

present position. I say, firstly, that we ought not to be pillaged in this wholesale manner, until certain precautions have first been taken. It is truly the work of ruthless invaders to pillage the unfortunate people. But it might have been expected that, in this case at least, the invaders, before they attacked the persons on whom they are about to inflict torture, and a torture of a very unpleasant kind, would first have thought whether it was possible in any way to alleviate the misfortunes which had fallen upon the country. But no such conception entered their minds. They have thought nothing of economy. The measure they brought down this afternoon proves that—the Bill for providing for the expenses of members of the General Assembly. Why should the Legislative Councilors this year have paid to them £420 each? What great cost have they been put to? Why should we be thrown into one hotch-potch together—Legislative Councilors and representatives of the people? They have had no elections to contest, no large districts of the country to go over; none of them can say that they are any money out of pocket. A prudent Government would at least have made some difference between the two classes. I believe a wise Government would have said that the Legislative Councilors ought not to be paid at all. They are appointed for life. Their position is one to which a title is attached. They are not chosen by the people. What would be said if a proposal were made to pay the House of Peers in England? Would the British nation for one moment stand a proposal of that kind? If such a proposal were made, would there not be an outcry from John-o-Groats' House to the Land's End? The whole country would ring with denunciations of the Government who took such a course. Then, again, why did they not, before proposing taxation odious in kind and form, propose to make reductions in the great salaries of the country? Why not begin with the Governor himself? The answer to that, I suppose, would be this: That the Home Government would disallow any Act of the kind; that the Home Government would say, "We sent the Governor out to you on the understanding that he should receive a certain salary; and you must pay it. We will not assent to any Act which reduces that: such a proceeding would be a breach of faith." The reply to that is very obvious. The Home Government constantly removes and dismisses Governors from office without any remorse at all. A Governor may have sought the benefit of the people over whom he was placed; he may have done that which the people wished him to do, which was very clearly for their great benefit; but if it gives offence to his employers at Home they do not hesitate—although they entered into a compact with him for six years—to remove him at a moment's notice, and take the whole of his salary from him. Can they say, then, that we have no right, when the Goths and barbarians are at our gates, to seek safety by reducing, to some extent, the salary of the chief officer of the country, as an example to be then cheerfully followed by other persons? Clearly no such argu-

ment can be justly used to us. If they are dissatisfied with the amount we think right to pay the Governor nominated by them, let them make up the difference themselves. That would be just and fair. Then, I say, a proposal should be submitted to us to reduce the salaries of Ministers—that the proposal rejected by those gentlemen with such disdain two years ago should be taken up now by themselves—that they should have come forward and stated to the country, "Before imposing heavy taxation upon you, we will begin by reducing our own salaries and the salaries of the higher officers of the country." In that way a good example would be set by the great men of the country which the inhabitants could not have helped following in some faint degree. But no proposal of that kind has been made. From that point, I will just turn to the proposals of the Government. I will not detain the House for any great length of time. They say there will be a deficit of between £800,000 and £900,000. I say the deficit ought not to exceed £550,000, upon a fair estimate. That was the deficiency which was calculated upon. But, whatever the deficiency is, the mode by which they propose to replace that deficiency is unjust to the country, and unwise. What they say is, shortly, this: that in this country all property shall be taxed—that, in the case of persons holding property above £300 in value, the whole of their property, excepting £300, shall be taxed. I will return to that point presently. But we are then met by this: We were told by the honorable member for Waitemata the other night that there was no distinction between land and other kinds of property, and that therefore land ought not to be differently taxed. Now, I say that land differs from any other property on the earth. Land is the source of all property. Land is that from which all property is created. Essentially, in its nature, it differs from every other kind of property. From it is produced the subsistence upon which the human race maintains itself, because every article upon which man lives is produced from the land itself. Without the land nothing could be produced. From the land comes food, upon which man alone maintains himself. From the land cattle and sheep, and all the animals upon which man subsists, obtain their food. From the land come the articles with which man clothes himself. From the land are obtained wool, cotton, everything by which man enables himself to resist cold, and to maintain life in regions where he could not do so unless with clothing of that kind. From the land comes all by which man adorns the world. From the earth come the pigments with which painters produce the works of art we so much admire. It produces the fibre of which the canvas is made upon which the paintings are placed. It produces the marble for the statue of the sculptor. It produces iron and copper; and it produces all the metals of which our machinery is made. The land yields everything which renders life in this world valuable: without owning a portion of it, no man can own a home of his own, or know the highest pleasures of domestic joys. Then, how can it be

said that there is no difference between land and other property which is produced from land? No man can live, unless you give him land on which to support himself. A man cannot subsist unless you give him some means of raising articles by which he has to live and clothe himself. There is no analogy between land and other property, of whatever kind it may be; all that enables man to live comes from land, and from it directly proceeds all that beautifies life. We pass further on from this point to the rest of the argument. What is proposed to be done under this Bill? The proposition amounts to this: that land is not to be improved to a high degree. There is no fairness under the proposed system of taxation. I believe honorable gentlemen on the other side will see, if they think the subject out for themselves, that a law of this kind is not for the good of the country. Where an income-tax is imposed, what takes place is this: that, if a man has improved his property, perhaps spending large sums before it yields him anything, the tax is put on the land when an income arises from it. But under this system you tell a man he must not improve his land for his children or the persons who may come after him, because he is to be taxed for all he does. Each year the improvements he makes will subject him to heavier taxation, although not one shilling of income may be yielded from the estate for many years. Thus the tax is a most obnoxious tax, for it prohibits men from arriving at distant results. Then take the case of small farmers who may acquire land surrounding a vast property, of which there are many in New Zealand—small farms round a vast property, the interior of which has been left untouched. These farmers improve their property year by year, and will yearly be paying a higher tax, although the income they derive from their land may not be increased at all, or may be increased in so trifling a degree as to be scarcely appreciable; while no taxation will be derived from the large extent of unimproved land which they surround except on the improvement in its value by reason of the work done on the small surrounding farms. They will have no means of making roads, and no means of getting to market, unless they cross this waste under circumstances of great difficulty. It is most unjust that that large property shall pay no greater a sum year by year, except in so far as its value is augmented by the labour of others, whilst these smaller properties surrounding it year by year pay heavier taxation. Then their ploughs, harrows, all farming implements, farm-buildings, houses, horses, cattle—all are to be taxed. Who will build good farm-buildings under such a law? You quench all just pride a man may have in the beauty and substantial nature of his homestead. I say that such a system is unwise, and must keep the country back for years to come. It must delay improvements of every kind. In fact, I can hardly conceive a more pernicious tax being imposed upon New Zealand under the present circumstances of the colony. Then what does it proceed to say? It says this: that in New Zealand there shall be no great private libraries; into New Zealand no man

shall bring great works of arts; in the Colony of New Zealand alone care is to be taken that treasures which we ought to endeavour to bring here and accumulate from the older countries of Europe are not to be brought out either for the delight of the eye or the improvement of the understanding; because, Sir, every book is to be taxed, every painting is to be taxed—everything which can tend to the cultivation of man, of his intellect, or of his eyes, or of his training in art. We were told by the Treasurer the other night that this tax is imposed in the United States not only by the General Government, but by each of the State Governments. I believe the General Government of the United States has not imposed a tax of this kind. I believe when the General Government there imposed a war-tax it imposed an income-tax. It is true that a tax of this nature is imposed by various States of America; but, as far as I know, an exception is made in favour of books, of pictures, of statues, of all works of art. People are encouraged to bring into the country that which will give lasting benefit to it. A wise Government knows that almost to a certainty books brought into the country ultimately pass into the great public libraries—that is, valuable books of every kind. They know, for instance, that those persons in Great Britain who formerly imported manuscripts and books of great value from the Continent—from Italy, from Spain, from France, from the mountain monasteries of Greece—all countries ransacked to get the best books—they know that, when men of that character bring in such books, those books go year by year into the great libraries; and wisely they enable books of that kind, and works of art and paintings, to be brought into Great Britain from all parts of Europe. Such works have nearly all passed into the great national galleries. They have been sold for small sums—some person dying, and saying that, in consideration of a small payment to his family, the books or works of art he leaves behind him shall go to the great national institutions. Wise Governments, therefore, encourage such things; and even nations not so far advanced as we in civilization not only encourage, like Spain, the introduction of works of art, but absolutely pass laws prohibiting their export. Yet here in New Zealand, starting in its infancy with a population which we should raise to the highest pitch of civilization, every person is to be taxed for every volume in his library; and, if a person introduces works of art certain to become public property, still he is to be taxed for them. So that persons having these works in their possession will send them out of New Zealand, if a law of this kind is passed. I say, in every respect, this law must have the effect of stopping what I call all progress in New Zealand—progress in material improvement, progress in mental culture. I feel certain that no man hereafter will continue, as hitherto has been the case, to spend large sums of money in introducing into this country property which gives no return, trusting to a return in the elevation it will give to the people of New Zealand, if every shilling they spend for the good of the country is to be taxed

Sir G. Grey

without their deriving any benefit from it. I say it is striking at the advancement of the country in a way which I hope honorable members will think of before they allow a measure of this kind to be passed. It would be easy enough to raise by an income-tax far more than is necessary for the wants of the country; and that, Sir, by an income-tax that shall fall upon the people much more lightly than it falls upon the people of Great Britain; that shall touch no one, not only of a property worth £300, but having an income of less than £300 a year; that shall touch only in a small proportion those whose incomes are derived from themselves—that is to say, from their mental capabilities or bodily capabilities: an income-tax so proportioned that persons who derive their incomes from professions, or from following the trade of artists, or, in fact, any kind of trade in which mental or bodily skill or labour gives the income, shall pay only half the tax which those pay whose incomes are derived from fixed and cumulative property. Then, again, it would be quite possible immediately to get rid of some of the burdens laid on the country. We have now to pay annually for sinking fund; but we might at once make a marked saving in that respect by following the course which was pursued in England, which is acknowledged to be the fairest course, and which Chancellor of the Exchequer after Chancellor of the Exchequer had desired to follow, but hesitated because it was a new plan, until at last a Chancellor of the Exchequer was found who had the courage to adopt it. I say, by beginning to make savings of that kind, and then by making savings in salaries on some fixed principle, and by reductions in salaries which can afford it, and which, in times of distress, should afford it, we could so far reduce the amount to be met that, by putting on such an income-tax as I have spoken of, and by increasing the land-tax, to which I shall refer presently, the difference would be amply and sufficiently met. We can fulfil every engagement we have entered into; we can preserve our credit undoubted; we can show that when a difficulty arises we are able to meet it in the manner it is said it ought to be met; and we need not inflict upon the people of the country the evil that will be imposed by the tax the Government propose. Now I come to the question of taxing land. I say that it is a necessity that land should be taxed. I say that such is the prevailing opinion everywhere at the present day. Floods of thought have swept over countries from age to age—sometimes such a flood of thought as that which gave rise to the Crusades; sometimes such a flood of thought as that which gave rise to Reform; sometimes such a flood of thought as sweeps away unjust taxation like the Corn Laws. And then, Sir, when these floods of thought do come, and when such things are swept away as the Corn Laws, we wonder at the folly, at the ignorance, of leading men of the day who have resisted the changes. What must be the feelings of men when they recollect how the proposal to abolish the Corn Laws and give cheap food to the people of England was received by

the leading statesmen of that day—that Lord Melbourne, who held the position of Premier of the country, should have stood up and said that he had read in history and heard in his lifetime many proposals of the strangest kind made by persons in Great Britain who wanted to bring about alterations in the laws and systems of the country; but he never had heard anything so foolish, anything that betrayed such ignorance, anything that showed such absolute folly, as the proposal to sweep away the Corn Laws! That was what the Government of the day in England said: but the tide of public opinion rose, swelling like a great sea, and swept foolish, silly opinions like that away. And then people acknowledged that the change was great and good, and that those who opposed it were not wise in their generation, and ought not to have been trusted with the lead and management of affairs. I say that opinion is now rising in Great Britain and Ireland—it has swept over Europe, and is rising in Great Britain and Ireland—that a tax must be imposed upon land: that the whole land system of Great Britain and Ireland must be swept away. Everybody feels now that such must be the case. The same feeling arose in France, in Holland, in Belgium, in Germany, in Italy, in Austria, and the land laws in those countries were all swept away, and one system of land tenure has become established in all those countries. Some men stood out against the change, as some of our statesmen here in New Zealand do; but the great statesmen of Germany acknowledged that the change must come. And now they are glad that it has come, because it has given new life and new freedom to the German people. Any one who compares the later writings of those who opposed the change with what they wrote and said before it was brought about, will find that they acknowledge that the change had to come, and that they are glad it took place; and that is the opinion in all those countries in Europe which I have named, in which one common system of land laws has been established. I say, in the same way it must come in New Zealand. I say a totally different land system must be established here; that an end must be put to this very session to the acquisition of vast tracts of land from the Natives by means which I conceive to be absolutely fraudulent. I believe, when the history of the way in which those lands were acquired is written, it will fill men's minds with sorrow to think such things were done by men who were the representatives of Great Britain, and who were the inheritors of her great name. There has been a lull lately, and during that lull gigantic efforts are being made to acquire great tracts of land. At the present moment negotiations of a most extensive kind are going on, and evils almost irremediable will be inflicted on New Zealand if an end is not put to the system this present session. Then, again, I say we have a right to demand that a tax shall be imposed upon land to which such vast value has been given by no efforts of the present occupiers of it. Great value has been given to it by the mere increase in the population. Upon those who are poor, upon

those who are labourers, falls the task of rearing the great mass of the population that shall fill the country; and yet I heard here to-night a proposal to further tax them by imposing school fees upon them. I heard that proposal made to-night by persons who had not, I think, sufficiently considered what they were saying. Why, Sir, those persons whom it is proposed to tax in this way are the very people who mainly support the public schools under the present system of taxation. The present system of taxation falls most hardly upon them. There is not a child in those schools who does not pay something towards its own education by comforts which it foregoes. There is not a single child—from the youngest to the oldest—who does not year by year forego some article of clothing, some pleasure, perhaps some necessary article of food or medicine, in order that money may be found by its parents to pay the taxation out of which those schools are supported. Yet the rich men are about to take away their free education. It is termed "free," but it is not really free, because all pay for it. The rich men are now about to take care that the parents, in addition to this taxation, are to be obliged to pay school fees, or their children are to go uneducated; or is it possible that they mean this?—that, notwithstanding what may be the suffering of the family, school fees shall be wrung from them by some law which will make the children go to school, and make the parents pay fees whether they are able to do so or not. I say that land here is a fair subject of taxation. Those who occupy great tracts of land shut out their fellow-men from them. Those who occupy great tracts of land make the formation of roads difficult, they make the formation of towns difficult, they make difficult in every way intercourse among their fellow-men. They make a country of paupers, with a few rich men in it to rule those paupers almost as they like. I am certain that the Government know that the tendency of this measure is to repeal the land-tax, or, as I understand it is said, in gentle, persuasive language, the land-tax is to be merged into a property-tax. There is no merging in the matter. They are essentially different things, and the Government know that. They are as different as light and darkness. The land-tax falls fairly upon those who hold large properties, to which, as I have said, by population, or by taxation taken from other men, an immense value is given without any effort of the landowners themselves. They become men like the present Duke of Westminster, owning an enormous portion of London, without one penny having been spent by himself or his predecessors upon that property. The mere accumulation of four millions of people, and the necessity of their living, have compelled them to pay enormous prices for permission to exist on the land. This has enabled a few people who own the land to decide that a large extent of London shall be built in a certain way to please themselves, without any regard whatever for health or convenience, and without taking care for the wishes of those who may occupy the houses. Instead of intellect being exercised in a great variety of ways—one man saying, "My house shall be con-

structed in such a way as will be most suited to health;" another saying, "I will set an example to all men as to what is good ventilation, and what is the proper form of a house"—each man is now tied down by a contract to build houses such as the owners of those great properties propose. This leads to a most pernicious system. Gentlemen who know the subject know that there are streets in London where you dare not open the back windows. Take the greatest part of Belgravia: in the most magnificent streets there, you will always find, behind the whole area of the houses, what are called "mews"—stables for horses, and places for the carriages. The back windows do not even let in the light. They are probably of coloured glass: at any rate, they exclude the light. You cannot look out of them, nor throw them up without a most dreadful stench coming in to you from the stables. Yet no one is allowed to build a house in any other form. The people who own that land derive a large revenue, without any effort of their own to give value to their property. The houses are not built by themselves. The land is let on long building leases, and the property ultimately becomes the property of those who own the land; and the houses are built in a prescribed form. It is just, under such circumstances, to tax such land in proportion to the value given to it by the increase of population and the improvements of other men; and that is what we propose to do in this country. We propose, in this country, that those who do get estates of enormous value—that value being dependent in no proportionate degree upon their own exertions—shall be made to pay a tax on the value other men have given to it. If that is not approved of—if that system is thought bad—then come to the other system, which is the next one proposed. That is, Tax land in proportion to its extent—so much an acre up to 1,000 acres; so much an acre from 1,000 acres up to 2,000 acres; so much an acre from 2,000 acres up to 3,000 acres; so much an acre from 3,000 acres up to 5,000 acres; and so on. That is the system pursued in other countries; and that is the system which ought to be pursued here. I feel, therefore, that we have a right to expect this from the Government. We have a right to say to them, "Your financial proposals, as at present before us, are unsatisfactory. Take them back again. Reduce your estimates; and then change your system of taxation. Reduce to a sum of from £500,000 to £600,000 your deficiency. That may be well done. Having done that, make up for that deficiency by another system of taxation." Even now, this evening, I am told there has arrived from the Chamber of Commerce of Dunedin a proposition that the land-tax should be retained and increased. That is one proposition. I believe that from every part of the country the same application will come in. I think these measures are so important that some length of time should be given to the people of the country to consider them. Up to this time there has been no full discussion upon the subject. Even to-night the subject has not been discussed with that fulness with which such a subject ought to be discussed. Some honor-

Sir G. Grey

able gentlemen are absent; some honorable gentlemen have addressed themselves to other subjects, and not to the question as to how this tax will fall upon the country and what its effects will be. The subject should be argued out, and considered fully, and until that consideration has been given to it we should not agree to the propositions of the Government as they are now before us. It should be distinctly understood whether the Government intend to put on school fees. It should be distinctly stated whether they intend to meddle with the present system of education or not. I am told the compact says not. We were told to-night that the history of those two months past will be written some day. I hope it will be. I hope the honorable member for Newton will some day furnish his quota to that history. I have no doubt secret papers will come out—that the whole history will be written; and I agree with those who say some strange disclosures will be made. I believe that a most interesting historical episode will come out, one on which historians will dwell with delight, one which will form an interesting page in history, on which boys in school who study the history of the country will dwell with pleasure, while they abandon the heavier part of the historical work that lies before them. I hope it will come out. But in the meantime I shall do this: I think it so important that the subject should be fairly considered that I move, This debate be now adjourned.

Mr. SPEAKER.—It is not in order for a member, who has spoken to the question, then to move the adjournment of the debate.

Dr. WALLIS.—I beg to move the adjournment of the debate.

Major ATKINSON.—Being only a plain business man, I do not propose to follow the honorable gentleman through those flights of fancy—for the House will not for a moment suppose they were history—that the honorable gentleman has given us in such eloquent terms. But I shall ask the House to come back to the plain hard facts we have now to consider. I shall endeavour, as far as it is possible, to answer the speakers on the other side of the House who have in any way touched upon the proposals of the Government; for it must be admitted that a weaker attack was never made upon any Government by gentlemen who have been given so long to consider the subject, and who for the past week have been representing that they were going to demolish the Government and their finance altogether. I will refer, in the first place, to what has fallen from the honorable member for the Thames, and, with the permission of the House, I will review the honorable gentleman's speech. Honorable members will see that it is impossible for me to follow him through his speech, because he has wandered about in a way which is usual with him, but which is not at all applicable to the serious matters we have under consideration. First, with regard to education. The honorable gentleman desires to know what the Government propose to do about "free education," as it is called. He has told us that the present system is not free, but he did not tell us how it was possible

to get a freer system. I want to know why he has any doubts as to what the Government is going to do. It is the leader of the Opposition, whom the honorable gentleman says he follows, who has said that alteration must be made. It is true that the honorable member for the Thames tells us that he is an outcast, and therefore he is at liberty, no doubt, to repudiate the utterances of his leader of to-night—the honorable member for Port Chalmers. But I say distinctly that the Government have no idea at all of altering the present system of education in any way; and that the suggestion to which the honorable member for the Thames refers comes as a serious proposition from the leader of the Opposition as a way out of the present financial difficulty.

Hon. MEMBERS.—From the Minister for Public Works.

Major ATKINSON.—No; it does not come from the Minister for Public Works. It comes from the leader of the Opposition in his scheme to relieve us from our present financial difficulties. Let that be distinctly understood. And not only does it come from the leader of the Opposition, whom the honorable gentleman professes to-night to be following, but it also comes from another ex-Minister, the late Minister of Lands.

Mr. SEDDON.—The Hon. the Minister for Public Works.

Major ATKINSON.—I say that it comes from those two honorable gentlemen; and, speaking in the name of the Government, I say that under no circumstances did we intend to adopt the suggestion of the Opposition in this matter. Then the honorable gentleman tells us that he has calculated the deficit; but he did not condescend to give us the figures. He gives us his conclusions. The honorable gentleman always gives his conclusions, but he leaves the House entirely ignorant of his reasons. We all know perfectly well that it is easy to talk in an airy way as to how the expenditure can be reduced. The honorable gentleman tells us it can be reduced. I want to know how. I have put the figures as plainly as I could before the House. The honorable gentleman tells us that the deficiency can be reduced to £500,000 or £600,000. It was his duty, then, to tell us how the deficiency can be reduced to that amount. Of course I am led to suppose, of necessity, that the honorable gentleman has been in communication with the leader of his party and the other members of it. He tells us the deficiency can be reduced to £500,000 or £600,000: is his proposal, then, to reduce it by placing the police on the counties and local bodies, and the education of the children on the parents? Whether that will be satisfactory finance to the House I do not know. It certainly will not be satisfactory finance to this side of the House, whatever it may be to the honorable gentlemen on the other side. I now come to what the honorable gentleman had to say with regard to the land-tax, and the property-tax as proposed by the Government. The honorable gentleman entirely misapprehends what an income-tax is. The honorable gentleman entirely misapprehends what the property-tax is, as proposed by the Government. Sir, first

allow me to deal with the question of the land-tax being merged in the present Bill. It is merged in the present Bill: it is not removed—it is there in larger proportions than ever. It is proposed to go on taxing the unearned increment, if there is such a thing—to go on taxing the land, as it grows from year to year. It is an accurate description of what we propose when it is said that the land-tax shall be merged into the property-tax; but there is this great distinction to be observed: We say the land is not the only property which should be taxed. We say, equally with the land should all other property be taxed. It may be a matter for argument between the honorable gentleman and ourselves whether there should be a difference in the rate of tax—whether we should charge more for land and less for property. That is a debatable question. We charge on the land according to its value to sell from time to time. That is what the honorable gentleman did under his land-tax. When the honorable gentleman describes this as promoting large holdings, he does not know what the Act contains, or he is misrepresenting what is in it. Then the honorable gentleman goes on to tell us that this is a proposal to tax land improvements. He drew a very pretty picture of the man working on his own land from day to day improving it; and said that, if only an income-tax were imposed instead of a property-tax, the man who worked from day to day improving his land would never be touched. Can the honorable gentleman tell me any country in the world where an income-tax was proposed which did not include a tax upon land improved as described? He knows, as well as I do, that the land improved from year to year would be taxed whether the owner of it got a profit out of it or not. He knows that in every income-tax the land is always taxed on a certain value, as it improves from year to year. Therefore that argument of the honorable gentleman also falls to the ground. Then the honorable gentleman further tells us that he has devised another means of relieving the taxpayer—a safe plan, which English statesmen adopt—by getting rid of the sinking fund and accumulated interest which we are obliged to pay upon the sinking fund. The honorable gentleman had an extraordinary Bill prepared to deal with this matter—a Bill which, I venture to say, would have ruined our credit in the London money-market. I have not the least doubt about that. I know that is only my opinion, and only goes for what it is worth. If the honorable gentleman had taken the pains to read the Consolidated Stock Act he would have found that he had every power—only properly guarded—to do what he wants, to do what he proposes to do under this Bill, in a most satisfactory way. If the honorable gentleman had chosen to bring that Statute into operation he could have got rid of a large portion of this sinking fund and the accrued interest we have to pay; but the honorable gentleman apparently—I will not impute motives—took such steps, by the appointment of persons not interested in the proposal, but directly interested in not bringing it into force, as to defeat the measure

Major Atkinson

and prevent its taking effect up to the present time. Had he chosen, it might now have been in force, and a large amount of our difficulty on this score removed. Then, Sir, with regard to what the honorable gentleman says about our debts, and our duty to exercise economy, we have endeavoured as far as it is possible to express to this House in very decided terms in the Financial Statement our desire to effect economy. The honorable member for Clutha was pleased to say that he could not find a single expression to that effect, and the honorable member for Akaroa, who prides himself upon his accuracy, cheered him. I will just quote a few lines from the Financial Statement to show what attention the honorable gentleman paid to that Statement. At page 2 you will find these words:—

“We hope, moreover, by careful administration, to be able, after further experience, to effect considerable reductions; but upon this point it is impossible to do more than promise that we will use our best endeavours to confine the expenditure within the narrowest limits consistent with efficiency in the public service. We shall also, during the recess, carefully examine into the present organization of the Civil Service, and see how far, by the combination of necessary offices and the abolition of unnecessary ones, the expenditure can be further reduced next year. Competent and well-paid officers are absolutely essential to good government, while a large staff of under-paid Civil servants is not only costly, but is in its very nature fatal to efficient administration.”

Then further on I said,—

“And I feel confident that we shall receive the hearty support of the House and of the country in giving effect to our proposals to sell land only for settlement, and to make our ordinary revenue equal our ordinary expenditure by the imposition of the necessary taxation after all possible reductions have been made in the expenditure.”

Well, if that is not sufficient indication of an intention to economize, I altogether fail to see what is. No doubt I might, if I had been fond of talking, have said that in half an hour I could reduce the expenditure by one or two hundred thousand pounds. The Government are not prepared to make statements of that sort without accurate grounds to go upon. We shall use economy to the utmost. We shall endeavour to reduce the estimates in Committee. We gave a pledge that we should reduce the expenditure to the utmost during the recess. With regard to this, honorable members must recollect that five months of the financial year have already gone, and I believe that the payments have been made on some of the increased estimates since last June. I found that out the other day; but how that may be in all cases I am unable to say. I found out that in some cases it was being done, and we issued circulars saying that no more increases were to be paid until the House declared its pleasure upon the matter. The rule when I have been in office before has been this: that the estimates, so soon as they are prepared, are given to the Auditors, and upon them the Auditors pay

upon the current year until Parliament has voted the money.

Mr. GIBBORNE.—Not increases.

Major ATKINSON.—Oh, yes, if authorized by Ministers. Now, with regard to the preparation of these estimates, I am, of course, quite unable to say what has been the habit of the late Ministry, or the mode in which they conducted their businesses. But in all Governments of which I have any knowledge the process is this: that each department prepares its estimates for the year; that they are then submitted to the Minister of the department. The Minister of the department, after approval, forwards them to the Treasury, where they are compiled and put into shape, after which they are finally submitted to the Cabinet for revision. When we came into office, I found the estimates in the Treasury, apparently ready for the consideration of the Ministers in Cabinet. How far the Ministers complied with the ordinary rule I am unable to say. We have been told that two members of the Ministry had examined them. I was careful to guard myself by saying that I did not hold the honorable gentlemen lately in office responsible as a Government for these estimates. I stated to this House how I found the estimates—that I understood they had been carefully revised by each Minister of a department; but that they had not been submitted for final revision by the Cabinet. Another question has arisen. We have been accused of bringing down estimates which are an enormous increase upon former estimates. That is true in a sense, but if honorable gentlemen will look at them they will see it is hardly true as a matter of fact. There occurs a large increase in the Railway Department, which is supposed to be on account of the newly-opened lines, and £118,000 for interest, which will more than make up for the increase in the estimates as a whole. We have asked the assistance of the House to reduce the estimates as far as practicable, and we have pledged ourselves to still further reduce the sum voted by the House, if possible, when we possess a knowledge of how that can be done without affecting the efficiency of the service. The honorable member for Akaroa could only account for our bringing down the estimates upon the supposition that the Government were desirous to make the estimates much over the mark, in order to get credit next session for reducing the amount very much. That may be the process which the honorable gentleman, having had some experience in Provincial Governments, carried into effect.

Mr. MONTGOMERY.—I said that would be the effect. I did not say what the intention was.

Major ATKINSON.—The honorable gentleman is very clever at suggestions. He inenuates; he does not say so, but leaves the impression on the mind of the House that such would be the fact. I admit he did not state it straightforwardly, but that was the impression he left on the House. We must be very foolish indeed to increase our estimates by a couple of hundred thousand pounds, with the view of having to submit to the House a property-tax of a penny instead of a halfpenny, and of imposing £300,000 Customs duties instead of none

at all. The temptation to appear virtuous at the end of the recess is no doubt very great, but I do not think it would be sufficient to induce us to adopt such a course as that. I hardly like to trouble the House with any remarks about what occurred in 1874; but the honorable gentleman made such a point of it, and in such a pompous way, that I must say a few words. And here the honorable gentleman must have known that, while apparently stating facts, he was misleading the House as to the truth of what occurred. He knows quite well that in those days there were permanent appropriations. He knows that when I took office I was not Colonial Treasurer, that the whole of these works had been approved by the House, that contracts were about to be entered upon with the full consent of the Legislature, and that Sir Julius Vogel went Home and immediately obtained considerable advances on account of the loan. And the honorable gentleman further knows that in the course of a few months, when it became my duty to look into the finances, I immediately stopped all that, that I stated to the House how things were, and that I condemned the whole system which had been pursued up to that date. It is quite true, as the honorable gentleman says, that I, as a member of the Government which did this, was responsible to that extent; but to compare me with the present leader of the Opposition, who brought down a great scheme, who pretended to find money for it, and who, failing to find the money, and failing to call Parliament together, as he was bound to do, went on spending at something like double the rate for which he had money—I say that to compare the two cases, or to imply that I acted in 1874 in the same manner as the honorable gentleman did this year, is exceedingly unfair.

Mr. MONTGOMERY.—I only quoted the honorable gentleman's words, and I will repeat them again. They are as follow: "The honorable gentleman knows perfectly well that contracts had been entered into and liabilities incurred before I joined the Ministry. Such a thing never occurred after I joined." Let the honorable gentleman answer that.

Major ATKINSON.—I have answered it. The two cases are not parallel in any respect, and the honorable gentleman must have known that the whole of the circumstances were different. To the extent of having been a member of the Government I am responsible, no doubt; but to compare the two cases is not candid or fair to this House. Now I will say a few words with regard to the honorable gentleman who moved the amendment. The honorable member made a statement which, I confess, considering his knowledge of affairs, I was exceedingly surprised to hear. If any honorable gentleman had told me that the member for Port Chalmers could have made such a statement to this House, I should not have believed him. The honorable gentleman knows perfectly well that the whole burden of both my speeches was, that the late Government had pledged the five-million loan, by various means and under various services, to the extent of £2,200,000 up to the end of this year. I gave

tables in support of that statement. He knows perfectly well that I did not confine it to contracts; and it is absurd to suppose that I should have said that contracts were let for the whole liability of the loan.

Mr. MACANDREW.—That is what I understood you to say.

Major ATKINSON.—The honorable gentleman could not have so understood me. Of course I am bound to accept the statement of the honorable gentleman; but it is very difficult to accept it, because I have since made another speech in which I made my meaning perfectly clear; and I have also laid on the table of the House a return showing in detail the whole expenditure, a large portion of which the honorable gentleman approved with his own hand, for in addition to those contracts—and the honorable gentleman knows it as well as I do—are what are called authorities and grants to local bodies, and expenditure of that sort, amounting to some £333,000, every halfpenny of which has been approved under the honorable gentleman's own hand, except items under £10, which were approved by the Under Secretary at his direction. The only exception was when the honorable gentleman happened to be away from Wellington and some other Minister acted for him. Is it candid, therefore, of the honorable gentleman to make such a statement? He knows as well as I do, if he knows anything of public accounts at all, that the loan is engaged to the amount named by me as far as it is possible to commit us to the expenditure. I shall feel it my duty to ask the House to refer this matter to the Public Accounts Committee, in order that an impartial tribunal may say whether my statement or that of the honorable gentleman is accurate. These are engagements which the honorable gentleman has made—what I have termed actual engagements—that is to say, liabilities which cannot be got out of this year, as far as I am informed by the Engineers up to the present time; and I have examined both the Engineer for the North Island and the Engineer for the South Island, and also the officer in charge of constructed lines in the South Island. As far as these gentlemen tell me, this liability must be met by next June, unless my honorable friend the Minister for Public Works can extend the time a little. But not only was it proposed to expend the whole of the sum I have mentioned, but I now have a report from the Engineers, showing that the honorable gentleman had approved of new works, to be recommended to the House. He had gone through the estimates, and, as I am informed, after cutting them down very much, had approved of new works, which he was going to propose to the House for expenditure this year, to the amount of £1,600,000. And this was to be submitted to the House as a reasonable expenditure, in the face of the state of things which has been revealed! I would ask the House how far the honorable gentleman had really grasped the financial position. I would ask the House whether it can possibly be true that the honorable gentleman was, as he told us, only going to expend £100,000 a month. I found that what he

Major Atkinson

took as his guide was the Railways Construction Act. He was far above—and if history does not belie him, he always has been—considering ways and means, his principle being that, as long as he got the vote, it was his business to spend, and the duty of the Treasury to find the money. But, after all, the difference between us is not so great on the main point, for the honorable member has told us that the flood is at our door, and the honorable member for the Thames has stated that, after deducting the charges for education and the police, there is a deficit of £500,000. What is the proposal of either of those honorable gentlemen to meet the financial difficulty? I ask this House, what reason have they given why we should pass this amendment? The honorable gentleman says the proposals of the Government are unsatisfactory.—(Hear, hear.)—Well, I can say “Hear, hear,” to that myself. No doubt they are unsatisfactory—unsatisfactory to the Government that has to propose these taxes, to the House that has to impose them, and to the people who have to pay them. But, Sir, I would ask, are they necessary? for, after all, that is the question we have got to decide; and I have shown by figures that some such amount as the Ministry have proposed to raise is absolutely necessary. Those honorable gentlemen say it is not. I am convinced, however, that this House, as business men, will not be satisfied with the statement of honorable gentlemen who have brought the country into its present state. The ignorance of our finance displayed by those honorable gentlemen, as proved by returns that have been laid on this table, renders them absolutely unsafe as guides. When they say the proposals of the Government are unsatisfactory, they are bound to propose some other mode of taxation. I am, of course, aware that there must be great differences of opinion among honorable members as to the mode in which the money should be raised—let us discuss that upon the particular measures; but, if the honorable gentleman had wished to traverse our proposals, he should have said distinctly, “We propose to make up the deficiency in such-and-such a way, instead of the mode proposed by the Government.” Then there would have been a fair issue between us. We are told, and it is quite true, that it is not the duty of an Opposition to submit a scheme. But when those honorable members are responsible for the state the country has got into, and when they are finding fault with the proposals of the Government to relieve the country of its pressing burdens and financial distress, then they are bound to submit to this House and to the country an alternative scheme, or it is perfectly certain that the House will have nothing to say to them. One word with regard to the question of who is to blame for our present difficulties. Honorable gentlemen say that nobody is to blame—that the whole matter has grown. That, of course, would imply that this House is to blame; because affairs should not have been permitted to drift into such a state. But I would point out this fact: that in 1878 the then Treasurer, Mr. Ballance, made a most flourishing statement of our affairs. He told us that we were so rich that we should not only be

able to continue to pay our ordinary way, but that we could actually set aside from the revenue of that year £100,000 in aid of the Public Works Fund. And the then Minister for Public Works was so satisfied as to the continuance of our Land Fund that he said not only could his honorable colleague the Treasurer get a million and a quarter out of it, but that he himself would have three-quarters of a million also for the Public Works Department. This House sat seriously by and agreed to that, notwithstanding the protests of the Opposition, of whom I was one. We told the honorable gentleman that it was a fatal finance; but he would not believe us. What was the duty of those honorable gentlemen? They knew by Christmas that their whole scheme had fallen through. They knew that by no possibility could they get adequate revenue. Did they cease expenditure? Did they think of consulting this House? No, Sir. They knew very well that calling this House together meant instant dismissal from office, and they had not the courage to face the House; but they dragged on and dragged on until they got the country into such a state that we are now obliged to propose the issue of Treasury bills to the amount of £800,000 to make good the deficiency for this year. Instead of reducing the expenditure, they increased it on almost every item. There was no pretence of saving—no pretence of meeting the difficulties. For nearly twelve months, when they might have pulled up—when this House might have met, and might have had plenty of time to impose the taxation which we are now levying, or to cut down the expenditure—for twelve months they continued steadily on, because they knew—for we can suppose no other reason—that meeting the House meant their dismissal. Whatever may have been the fault of past Governments, it is perfectly certain that a Government that could truly represent the finance of the colony as the late Colonial Treasurer represented it in 1878 is entirely blamable for the present position of affairs; or, at any rate, they were to the last degree culpable in not stopping the expenditure, and calling the House together to provide ways and means, when they found that the source of revenue upon which they had been building was falling away. It is of no use talking about former Governments. Here we have a wasteful expenditure—

Mr. MACANDREW.—Did you say “wasteful”?

Major ATKINSON.—Yes, I said “wasteful.” I thought I used the word “extravagant;” but “out of the fulness of the heart the mouth speaketh.” The word came naturally; and I now repeat that the expenditure in many of the departments has been most wasteful. The expenditure in the Native Department was really a terrible expenditure. Nothing like it has ever occurred in this country, and I am sure the House will bear me out in that. I ask the House to say whether those gentlemen are not culpable for carrying on to the latest period with a falling revenue and an increasing expenditure, and whether they are not responsible for our present difficulties. How far they may be excused for what happened previously, I am not prepared to say. I take my

starting-point from the Statement of their own Treasurer, and, accepting that Statement as true, I say that the whole responsibility of our present situation rests upon the late Government; and I am quite certain, after the exposure of their utter incompetency in finance, the House will consider well before it accepts what is in reality a no-confidence motion.

Mr. MOSS.—I think it would ill become this House to allow the debate on such an important subject to close without giving a great many members who are not now present an opportunity of stating their views. It is impossible to overrate the importance of the proposed finance, or the consequences which loom from it in the future. It means carrying dismay into many a quiet home in New Zealand. It means imposing upon the mass of the people a heavy burden, which, added to the burdens they already bear, will curtail the comforts they at present enjoy, and will render life to many persons miserable for the future. We must remember that this is only the beginning of what is to come. It is only the small cloud, which will by-and-by grow larger and overshadow the whole land. We have been told by one honorable member—and I was astonished to hear it—that one good result would follow from this increased taxation—that it would cause the people of the colony to economize their expenditure, and revert to the simple habits which characterized the New Zealanders of the old days. Now, if, as the result of that economy, any benefit were expected to accrue to themselves and their families, there might be some reason in the statement; but to ask men to economize and to deprive themselves, as they will have to do when this taxation is imposed upon them, merely to bear burdens which ought to be cast upon other sections of the community, is unfair and unjust. That is a poor inducement to economize. It seems to me rather an inducement to recklessness and extravagance, because people will feel that their economy is of no avail as far as they themselves are concerned. A great deal has been said about the cause of the deficit, and I think we may fairly blame the Colonial Treasurer for having thrown a great haze of doubt over this from the beginning. In his first Financial Statement—which, I observe, by-the-by, is called a “speech on the financial position of the colony”—we are told that the deficit is attributable to the absence of retrenchment; then it is attributed to the absence of economy; then we are told that the deficit exists because the Government did not bring into operation the Inscription of Stock Act; then there was a lamentation over the position into which the colony had been “permitted to drift;” and then we are told at the conclusion, after all these innuendoes have been thrown out against the late Government, that “it is not my business to make any remarks upon the manner in which the deficiency has arisen.” Finally, after the minds of honorable members have been confused and perplexed by these statements, we are once more told, on page 3 of the second Financial Statement, that the deficiency is to be attributed “to the falling-off in

the Land Fund." That is, at last, the admission of the Treasurer himself, and I think a great deal of time has been unnecessarily wasted in discussing the cause of the deficit, when we have it obvious to our common sense and so plainly admitted by the honorable gentleman, who ought to be the most competent judge. After giving a mass of statistics, the purport of which I confess I have not been able to comprehend, the honorable gentleman said,—

"Here, then, we find the cause of our deficit—the falling-off in the Crown land sales. If, last year, they had reached the estimate, and could be relied upon this year to yield £1,150,000 (this amount being about the average receipts of the last two preceding years), we should have this year a small surplus, instead of an estimated deficit of £911,002."

Now, that ought to set at rest for ever any question as to how the deficiency was caused. It is in no way to be attributed to the late Government. It is not to be attributed to mismanagement or maladministration. According to the admission of the Colonial Treasurer himself, it is solely due to the falling-off in the land sales, and our own common sense tells us that this is perfectly true. But let me point out what I think the great peculiarity in the Financial Statement we have heard this evening, and a peculiarity which embarrasses one very much in its consideration. We have to consider not only the position of the colony during the current year; but, by a new system which I certainly do not think an advantage, we are launched into the year to follow. We have before us not only the financial position of the colony for the year 1879–80, we are carried on to 1880–81, and called upon to provide for a possible deficit in that year—a deficit which may not occur, because the land sales may improve, or the expenditure may be reduced. We are asked to consider how we shall stand eighteen or twenty months hence. That confuses the whole Statement very much, and it must confuse honorable members too. It is quite a new system: and by way of encouragement the result is called by the Treasurer "a permanent deficit." We are to provide for a permanent deficit. I was very sorry to see that phrase in the Financial Statement—to see that we are in such a hopeless condition as to render it necessary to provide for a permanent deficit, which will be understood by many to mean a deficit for all time. So far as the estimates of the late Government are concerned, something was said by the Minister for Public Works about their being grossly extravagant. In that, he differs very much from his colleague the Colonial Treasurer, who stated on page 4 of this Statement,—

"I have given to these estimates what attention I could, and I say at once that, as far as I can see, there is nothing unreasonable in them, and that, if we are to continue the present system, I do not think we shall be able to reduce them to any great extent."

Now, Sir, that is the statement of the Colonial Treasurer, as against the statement of the Minister for Public Works that the late Government

are blameworthy. I am inclined to think the Colonial Treasurer the better authority of the two. Let us now see what this deficit exactly means. There was a falling-off in the land revenue last year of £360,000; and yet, Sir, with that great falling-off, such was the finance of the late Government that they came down to us with a deficit of only £81,000. The deficiency stated was £181,000, but against that you must place the £50,000 which remained to be collected from the land-tax. There were also other sums which should have come in, and which have since been received. I think the late Government have no reason to be ashamed of that result. After receiving £360,000 less than they expected from land revenue, they wound up the year with a deficiency of only £81,000. The estimate of land revenue which they made was not disputed at the time; people thought the estimated receipts from land sales reasonable and right, and the amount would have been received had it not been for unforeseen circumstances, especially the failure of the City of Glasgow Bank, which affected our position very much, and to that must be added the difficulties which unexpectedly arose on the west coast of the North Island. It has yet to be seen how the present Government can grapple with and overcome the last difficulty, a task which they thought the late Government ought to have accomplished, and which they declared they could do if they were only in power. We shall have a better opportunity of judging how far they have succeeded by the next time we meet. So far, then, we have only a deficit of £81,000 to face. That is the result of last year's finance. The result of the present year's finance will be to leave us, according to the estimate of the Colonial Treasurer, with a further deficiency of about £380,000. That, Sir, is the deficiency which is to come from this year's finance, so that on the 30th June, 1880, it will be £911,000. I doubt very much whether, when we meet again, that deficiency will not prove to have been greatly over-estimated. I observe that the estimates for the ordinary revenue have been largely reduced. The Customs are expected to yield £108,000 less, stamps £32,000 less, and altogether £172,000 is at once struck off from ordinary sources of revenue. In addition to these, £50,000 is struck off from the railway revenue as it was estimated by the late Government and by the authorities, who were best able to form an estimate. Therefore £222,000 is knocked off in these items alone. Then we have the land sales estimated to yield only £243,000, a smaller sum than has been realized from this source for years. It is possible that that estimate may turn out to be correct—it is an uncertain source of revenue; but it is certainly put down at the lowest possible figure. If, Sir, these estimates had been framed to frighten people into accepting the largest possible amount of taxation at the shortest possible notice, then they are admirably suited to their purpose. There is, then, an estimate of £342,000 as a falling-off in the revenue—just £42,000 more than the estimated returns which are to come from the new Customs taxation. I would like honorable members to bear that in mind,

Mr. Moss

because it is to this Customs taxation I would like to address myself chiefly on the present occasion. I will now draw attention to the mode by which it is proposed to meet the deficiency. When the Colonial Treasurer made his first Financial Statement, he told us that it was not his business then to inform us how he proposed to meet it; but in the second Statement he said there were three modes: first, remodelling the finance, general and local — “remodelling the finance,” whatever that may mean; the second was careful administration; the third, thrift and self-denial, to be demanded from all classes of the people. And enormous that thrift and self-denial must be if these proposals are ever carried into effect. Remodelling the finance seems to me simply to mean adding enormously to the burdens of the people by the imposition of heavy additional duties on all the comforts and necessities of life—on those things which are the comforts of the poor, though they may be regarded as the necessities of the rich. That is the only way in which I can see any remodelling attempted. In one line, these Customs duties are increased 50 per cent. Clothing, blankets, furniture, earthenware, millinery, glassware — everything from the largest to the smallest—even children’s toys and boys’ marbles are included; and the list winds up with paper-collars and parasols—everything is to be additionally taxed to 50 per cent. over present rates: that is to say that for every pound’s worth of these things a man buys he will then pay 3s. 4d. to the revenue of the country. That is the burden of taxation thrown on the consumers of this country. Then we have, as a means of effecting a reduction in the expenditure, the withdrawing of subsidies from the local bodies. When that is done we shall be in this remarkable position: We shall be spending four millions of public money—some of it more hardly-raised than in any other free country in the world—and out of the whole of that sum there will scarcely be one farthing available for public works of any description whatever; for these subsidies represent all we now spare from this enormous amount to advance the material progress of the colony. I will not trouble honorable members any further with remarks upon the proposed Customs duties, because there are some articles on which I should very well like to see duties imposed, as local industries would thereby be encouraged; but further duties ought not to be imposed for the purposes of revenue. I say nothing about the spirit duty, because it seems to me that members are under the idea that imposing an additional duty on spirits will have some great moral effect. I believe it will decrease the consumption of spirits, but decrease drunkenness it certainly will not, for when a man has an unfortunate craving for drink he will get it. The Minister for Public Works said they had carefully avoided a beer-tax, because it would add to the taxes of the people. Now, I apprehend that the taxing of their beer would have fallen with infinitely less weight upon them than the taxing of the articles I have referred to. When you impose these taxes, it is also very likely they will add compara-

tively little to the revenue. There are signs in the Customs revenue that taxation is carried to its utmost limits. You will diminish the consumption very materially in some cases, and increase smuggling in others. At all events, I do not feel at all sure that you will find any material increase of the revenue simply by adding to the duties as proposed. I believe the country to be in a position in which it is not at all to be played with. For a long time the imports have been remarkably larger than the exports of the country. Now, although perhaps that cannot be accepted as any significant sign when the returns are considered only for a single year, yet when you consider the returns for a number of years you may arrive at some trustworthy conclusion. I have added together the returns of the imports for the five years previous to 1872, and find that they amounted to £23,822,000, and the exports for the same period to £23,951,000. I take it that about that time the colony was actually getting over the depression, under which it would not longer have laboured if this great heroic policy of colonization had not been forced upon it. What is the result of that policy, and its attendant expenditure? Take the next five years—that is, the five years from 1873 to 1877. In that period the imports were £36,500,000, exports £28,700,000. In 1878 the imports rose to the highest figures yet attained, £38,755,000, while the exports were £26,015,000, or £300,000 less than the year before. Another peculiar export must also, however, be taken into account, for it will be found that we exported during the time something like £16,000,000 in debentures; and, even if you take that sum in addition to our other exports, you will see how much money is being sent away from the colony year after year, what a drain it is upon our resources, how it must diminish consumption, and how seriously it must at last toll upon our ordinary revenue. I hold that, for these reasons, any attempt to increase the Customs taxation of the country at the present moment will be most serious—serious not only because it will add materially to the burdens of that class of people who can least afford to pay additional taxation, but also because it will diminish consumption and may lead to a falling-off in the revenue, even with the increased percentage which will be charged. Let me turn to the next question—the direct taxation which has been proposed. It was brought down, to my astonishment, by the Government as if it were something new—something absolutely forced upon them by the position into which the colony had been allowed to drift. That is not the case. This direct taxation has been promised for years past. It was part of the scheme for adjusting the incidence of taxation which the present Colonial Treasurer two years ago promised to bring down if he remained in office. On the 31st July, 1877, the honorable member made his Financial Statement, and he then said most distinctly that he admitted the present system of taxation was decidedly unfair. He added,—

“For my own part, I am very loth to open the question of taxation at present. Our liabilities

being what they are, the subject of taxation is not lightly to be touched. It is one which requires the most careful thought—it must be considered as a whole, and it would be quite impossible to deal with it satisfactorily during the present session. When our trunk railways are approaching completion, when we have had time to consolidate and settle down, and are able to determine our real requirements, then the whole incidence of taxation must be considered; but to deal with it now, in a fragmentary way, would, I think, be a serious mistake."

Not long after that, so far as I can judge by the debates which took place, the House appears to have decided to have the incidence of taxation adjusted. In consequence of that decision, a resolution was moved by the present Colonial Treasurer to the effect that it was desirable that the incidence of taxation should be adjusted, and that direct taxation should be imposed at the earliest possible period. However, the honorable gentleman did not remain in office, and therefore could not carry out the resolutions adopted by the House; but the honorable gentleman is now in office, and, I am glad to say, is carrying out that resolution—only it ought to be clearly understood that this taxation must be regarded as entirely distinct from the deficit. It is imposed in performance of a frequently-repeated promise that the incidence of taxation should be so adjusted that it should not fall upon the great mass of the people, but that wealth should pay its fair share. There is another peculiar feature in connection with the Government proposals—that, while they are alleged to be a necessary result of the falling-off of the Land Fund, yet we are told that in future this Land Fund is to be entirely unencumbered of liability for debt, and to be kept separate and distinct. I look with great suspicion upon that proposal. It is quite inconsistent with all that we have heard from the Colonial Treasurer in the past. In the same Financial Statement to which I have just referred the honorable gentleman said,—

"But here, Sir, it is necessary that I should recall the attention of honorable members to two principles which have been clearly recognized as underlying all our legislation relating to waste lands, and to immigration and public works. Those two principles are—first, that the Land Fund shall be localized; second, that the cost of immigration, roads, and railways is a proper charge against the Land Fund. These principles have been constantly recognized; and, though it is true that they have not been continuously acted upon, yet the recognition of them crops up in our legislation at almost every turn."

And then he goes on,—

"Now, there has been raised for railways and immigration a sum, in round numbers, of £9,500,000, the whole of which is fairly a liability of the Land Fund. The annual charge on this sum for interest and sinking fund is about £485,000."

By the present time the charge must have reached £550,000 or £600,000, and this sum, according to the Treasurer's own statement, should be a liability on the Land Fund. But now we

Mr. Moss

are told that the Land Fund is to be relieved from that liability, and that the £500,000 or £600,000 is to be raised from the mass of the people, through the Customhouse and by a tax upon property-owners. I should like to know very much what is in the mind of the Government in reference to the Land Fund, because so sudden a change of front in their dealing with so enormous a sum ought to have been explained a little further, and the House ought to have been let into the confidence of the Government more than it appears to have been. What was true in 1877 is true in 1879; and the first charge upon the Land Fund must be the £550,000 or £600,000 to which I have referred. Of course, if the land sales fall off, and the Land Fund cannot meet the liability properly devolving upon it, then recourse must be had to taxation; but, at the same time, the Land Fund should be set aside for the same purpose in the future that it has been in the past. There was another point referred to by the Treasurer in his speech. He told us that there were twenty-six million acres of land for sale, of which five millions are agricultural. With this enormous quantity of land still unsold the question of the Land Fund is a serious one; and I must deprecate the Government pursuing a course which I cannot help characterizing as an attempt to fitch the Land Fund from the consolidated revenue, and, under the pretext of simplifying or remodelling finance, to set it aside in the manner I have referred to. There is no attempt at finality in dealing with this question. We are always getting something new. Turning again to the Financial Statement of 1877, I find the Treasurer saying this:—

"I trust, Sir, to have the concurrence of the Committee in my suggestion, that the result just stated, and the statistics as to the financial results of the past year which I have submitted, justify the conclusion that the Government have fairly realized the difficulties of the position and have successfully grappled with them."

The Government are, it appears to me, always "fairly realizing the difficulties of the position," "fairly facing them," "never shrinking from them," and always "grappling with them successfully." Two years ago we were told in the same speech,—

"For the immediate future the Government believe that the need of the country is political rest. Time is needed for the completion and development of our public works; quiet is needed for the consolidation of the social results without which a scheme of immigration and railways in any new country would be a failure: time and rest will co-operate in enabling us to satisfy those outside the colony who are concerned as to its fate, that our confidence in the wisdom of the work we commenced in 1870 was justified, and that, though its cost has been very great, its benefits have been commensurate."

It is somewhat disappointing, after the glowing colours in which that picture was painted for us, to have another picture of darkness and difficulty put before us, with the statement that the Government have again fairly and openly grappled with the matter when they propose to

impose new and enormous burdens upon the people. As to the property-tax itself I cannot pretend to say much, because I have not had time fairly to consider the Bill which has been brought down. But it appears to me that the whole thing is conceived in error. If it be thought that this tax would be less inquisitorial than an income-tax, then we shall find out our mistake. It is infinitely more inquisitorial than any income-tax that could be imposed, and, if the Government had for its object so to disgust and sicken people as to lead them to make an outcry for its abolition, then they could not have achieved their object better than by this Bill. It differs entirely from the system on which it professes to be based—the system in operation in all the States of America. There it works without friction; there, as I said before, assessors are all elected by the people of the district which they assess; there assessment is public—there is no secrecy about it at all; and, if there are mortgages in existence over property, the mortgagor pays and deducts it, without making his affairs public, from the mortgagee. I do not believe for one moment that a tax like this, however imposed, would work with so little friction as that in the United States does, and I should very much like to see the Act of the particular State upon which it is based. I am sure, if it comes into operation, there will be an outcry against it from one end of the colony to the other. The cry against the beer-tax was nothing to it. We refused to pass that tax because it harassed the brewers; but this will harass the whole population. But what will be the result if the property-tax has then to be abolished? Ministers will have then killed two birds with one stone. They will have abolished this tax, and they will have abolished the land-tax with it, while they will have made up for both by a large increase of the Customs duties. Those three things I see as clearly before me as I now see the face of that clock. As the hour is late I will not detain the House much longer, and will only briefly recapitulate the main points I wished to bring out. The first is, that I cannot at all understand, nor can I agree to, the proposal to separate the land revenue from the ordinary revenue without taking care at the same time that the land revenue is charged with what has been over and over again admitted to be its fair share of the public burdens. If that be not done we shall have a return to all the evils of the old fiscal system of the country. For years the Land Fund was free from any charge for general expenditure; and the result was that, in some provinces there was absolute poverty, while in others there was absolute wealth. Are we to return to that system—and that, too, when it has been over and over again stated that the Land Fund was fairly liable to at least £550,000 or £600,000 every year to meet its share of the charge for money borrowed to carry on public works? The next thing to which I object is regarding this property-tax as in any way imposed to meet the deficit. I regard it as a long-promised attempt to adjust fairly the incidence of taxation; but it is juggling with the question, from that point of view, to impose that tax with

one hand, and, at the same time, to increase the burdens on the mass of the people through the Customs with the other. Looking at the matter from my point of view, it would therefore be wise for the House to pass the property-tax and make it as little inquisitorial as possible, regarding it as a long-promised measure necessary to adjust the incidence of taxation; but, having done that, I maintain there will be no necessity whatever to impose additional Customs duties. They are imposed, professedly, not to meet the deficiency of the year 1879–80, but to provide for a possible deficiency in the year 1881. It will be ample time to impose these duties when it is proved that they are necessary; and that can very well be left over until we meet in April next. The sum to be realized from them in the meantime is not worth consideration. The deficiency up to next March is to be added to the public debt of the colony: I forgot to notice that point before. This being so, let us stop at that for the present. Do not let us deal with the following year's possible deficiency now. The machinery for levying a property-tax will take some time to prepare, and therefore it is well that the Act should be passed this session; but Customs duties can be imposed at any moment. I beg the House to consider carefully what it is asked to do, and to reflect before it allows a farthing to be added to the Customs duties merely for purposes of additional taxation. If that be allowed it may be the beginning of a course which will disorder our finance, prostrate our trade, and do serious injury to our public credit. The tax will be so heavy that people will not stand it. There will be so much taken from them that, unless there be a great reduction in our present expenditure, they will have nothing left with which to keep their roads in repair, or to perform other necessary public works. I therefore adjure the House to hesitate before it allows these Customs taxes to be so heavily increased for mere revenue purposes. For the reasons given, I cannot believe in the financial proposals of the Government, and shall earnestly support the amendment of the honorable member for Port Chalmers.

Mr. TAWHAI.—Since I have been listening in this House during last Thursday and Friday and this evening I have not seen anything yet done by members. I think the members of this House for the last three nights have been acting like children. I do not think the important business which the House has before it should be treated in the manner of child's-play. If there is to be any fight, let it be on just, and fair, and reasonable grounds. My earnest desire is that the House should turn its attention to executing those works which would be beneficial for those districts that require them. This kind of fighting is very frivolous: in fact, there are no reasons for it whatever. Members should try and do what good they can for those districts that remain roadless in the colony. That is why I say, instead of the House going in for this sort of thing, they should try and do good for the people who are living in districts that have not hitherto been attended to. I am not alluding to those

who live in towns, and have all their wants attended to.

Motion for adjournment of the debate negatived.

Mr. TURNBULL. — Sir, I very much regret that the opinion of the House is unfavourable to the adjournment; but at the same time I shall think it my duty—a duty I owe to myself and to those I represent—late as the hour is, to address the House on the present occasion. I regret it the more because I am not one of those who can speak with authority on these matters. I can simply speak as these matters meet my eye, and I regret very much, when I see the proposals before us, that I am not more able to address the House on this subject. There is nothing so injurious to the credit of the colony, and nothing so injurious to the people themselves, as a disordered state of the finances. In a community borrowing so largely as this, it must have a very great tendency to lessen the value of our securities and to increase the difficulty of our borrowing. I regret very much that this should be made a party question, especially in the state in which the country is at present. It is a very great misfortune that it should be so, and, as far as I am concerned, in the opinions I shall have to give utterance to I shall not enter upon this question as a party one. It is of far too much importance to allow of that. The state of the country is rather peculiar. We have, in fact, just passed through one of the most severe financial crises that any country has ever passed through. Probably this has arisen not only through over-speculation, but also through over-trading. Every person has had enough to do to hold his own, and, in addition to that, we have suffered very great loss through the harvest last year being a very indifferent one. Then, just as, I may say, the public had got over that difficulty, there arises another of a more fatal character, and of a needless character. By the Statement of the Colonial Treasurer made to this House a short time since upon the position of the colony, a very great deal of public confidence has been wantonly dissipated. The Treasurer said the finances of the country were in a very dreadful condition, and that a very large deficiency had occurred. He said that if the late Government had done their duty to the country they would have called the House together immediately after Christmas. The determination of the Treasurer plainly was to make things as bad as possible. He had a case to make out, and the welfare of the country was nothing to him. He had to substantiate his statement, and left no means untried in order to do that; instead of coming down and stating, as he could and should have done, that the state of the finances was caused by circumstances to a certain extent over which the late Government had no control—that is to say, disturbances arising or threatened in the North Island. I will not say whether those disturbances were fostered by agents of the Government or not, but it is my opinion they were fostered by them. Those disturbances prevented a sum of nearly three-quarters of a million of money from the sale of the Waimate Plains coming into the Treasury, which it was stated

Mr. Tawhai

would come in during last year. Another large sum from the land-tax might have come in to the Treasury; and in this instance I think the Government are very much to blame for their want of energy and determination in the collection of it. If it had not been for that, the land-tax would have come in, and would have covered almost the whole of the deficiency now stated to exist. This want of energy recoiled upon themselves, and the very question of those assessments coming on at the late elections lost the late Government their majority in this House. The Treasurer not only made this Statement with reference to the deficiency which existed last year, but he also raised an alarming cry about the finances this year being in a dreadful state and without hope, and intimated that he did not see his way out of these difficulties. In order to substantiate his statement, he reduced the estimates of land revenue and consolidated revenue to the extent of £250,000. There is not the slightest warrant for expecting such a deficiency. As far as can be seen, there is a bountiful harvest before us; the country is coming out of its depression; trade is reviving; and, as far as the estimates of the late Government are concerned, I believe that they will be borne out to the fullest extent. The Treasurer also brought down—as I admit has been done before—what are called “bogus” estimates. There are most extraordinary items amongst the estimates. For instance, “Gold discovery in North Island, £5,000;” “Gold discovery in South Island, £5,000;” “Aids to prospecting, £5,000;” and so on. Altogether, these items come to £25,000. It is the greatest mass of absurdity in existence. It must be self-evident that, if gold is discovered, the revenue will be so elastic as to far more than cover these items. Then we find, “Bonus for export of rabbit-skins, £8,000;” “Inspection of sheep and cattle, £12,000;” “General contingencies,” &c.; making altogether £42,000, which could also be struck off. There are many other items of the same kind, which are only brought down to substantiate the Treasurer’s statement that there is a large deficiency. I should have stated that another cause of the deficiency in the revenue last year was the unwise step taken by the late Government in withdrawing lands from sale along the lines of railway. If it were not for that, the Land Fund would have kept up this year. In locking up the land from sale they saved it from speculators; but, although they did good to the country, still it was fatal for themselves. But we must bear in mind that this large estate is still left unimpaired. Seeing the peculiar circumstances of the House, seeing that there is really no organized opposition to the Government, I hoped that the Treasurer would come down with a bold statement, showing plainly the position into which the country is drifting by a false system of aiding every person throughout the State. The fact is, the Government is doing that for the people which should be done by public bodies themselves. There never was a greater mistake made than when the honorable gentlemen who now occupy the Treasury benches brought in the Counties Act, and allowed it to be

permissive. A greater mistake was never made by any statesman. Had that Act been brought into full operation, we could now easily and justly get rid of the very heavy burden at present charged upon the consolidated revenue,—for instance, Charitable institutions, £25,000; Gaols and police, £127,000. Then there is the very important item of £100,000 for Armed Constabulary. If the Treasurer had brought down a Statement placing the burdens on the people from whom the money is raised, who could carry out the works required more efficiently and at a much cheaper rate, the position of the country would be more stable than at present. Another great evil which I hoped he would point out to the House is, that a large portion of the money we have borrowed is really a severe burden on the country. I allude specially to railways. This year there is an estimated deficiency of £260,000 on railways alone, which will have to be provided out of the consolidated revenue. Another great loss—which the present Government may say arises from the use of the department by the late Government—is £30,000 upon the Telegraph Department. This should not exist. I feel confident that an inquiry into the Telegraph and Railway Departments would result in their being made to pay interest on the money expended. I am aware that the Government have listened too much to the clamour of the public; too much stock has been ordered from Home; and I consider that the greatest extravagance has existed. I hoped the Colonial Treasurer would state that, by a reduction of 5 per cent. in all salaries over £200, he would relieve the Treasury to the amount of £32,000. This amount, together with the bogus estimates £25,000, would come to £52,000. Then there is another large item which the country must decidedly put a stop to: that is the enormous sum paid annually for education, which now amounts to £220,000. That is equivalent to £4 6s. 6d. per head for the education of the children of the colony, many of whose parents are well able to pay for education themselves. I see from the London papers that the cost to the voluntary schools is only 8s. 4d. per head. Under the Government system at Home I think it amounts to 40s. per head. Without any injury to the cause of education, I think our yearly expenditure could be very much reduced. A capitation grant of 10s. would amount to £28,000. I feel confident that no person in the colony would mind paying 2s. 6d. per quarter for the education of his children. That would relieve education to the extent of £56,000, or, even granting that 10,000 children could not pay the capitation, the country would still be relieved to the extent of about £50,000. Altogether that would leave £107,000. There is another department which I should like to call attention to. I observe that the Minister of Lands noticed the statement made by the honorable member for Akaroa as to the extraordinary condition of the Land Department, and the expenditure connected with it. There is no doubt as to the accuracy of the statement of the honorable member for Akaroa. The expense of the Survey Department is £157,000, and the esti-

mated receipts from land sales are £248,000, thus showing a net profit to the colony of only £91,000 from the sale of land. There must be something very rotten in such a state of affairs—that £167,000 should be the cost of the Survey Department—nearly the whole of which is spent in wages. This seems to me a state of things which requires the most searching examination. The sum just stated does not include a sum of £18,000 which has been paid for arrears of survey. The honorable member for Dunedin City (Mr. Oliver) stated that there was a sum of £54,000 due to Otago; but I should like to know how the honorable member arrived at that conclusion. The House has refused to affirm that such a sum was due. If the matter of account and the arrears of surveys of the department had been gone into, it would have been found that Otago is a debtor, instead of a creditor. The Public Accounts Committee refused to acknowledge that the money was due.

Mr. OLIVER.—Sir George Grey acknowledged it.

Mr. TURNBULL.—Sir George Grey acknowledges a great many things that I do not acknowledge. I am speaking of the country. The expense of the Land Department is very far from satisfactory. I reckon the loss on the Railway Department as £260,000, and on the Telegraph Department £37,000. This shows a very shocking state of things. My opinion is this: that there is nothing more calculated to distract the public mind or to shake the confidence of the public creditor than fluctuation in our taxation. The Colonial Treasurer stated very fairly that after this year the Land Fund should not be dealt with as ordinary revenue—that it should be charged, first, with the cost of surveys, that a certain portion should be distributed in the districts in which the land is sold, and the balance appropriated for public works throughout the colony. This is the proper use to make of the Land Fund. The question then arises, how the expenditure for carrying on the government is to be provided for. I am not going to enter into any financial statement; it is not my sphere. There is one subject to which my attention has been called by my constituents. They telegraphed to me stating that, rather than be subjected to the proposed imposts, it would be better to lay a tax on beer. It would be a voluntary tax. A person need not pay a tax on beer unless he pleases. The Colonial Treasurer last year estimated the sale of beer at 5,000,000 gallons. A tax of 6d. a gallon would give in round numbers £120,000. The present land-tax without exemptions would give £247,000. Stamps would give £16,000. This, with the reductions indicated, £107,000, and—as I consider—the unnecessary reduction of the estimated revenue by £248,000, would give as permanent revenue an addition of £738,000, which would be sufficient in future to meet all that is required. It is better to fix the revenue on a permanent basis than to take a property-tax as proposed and other taxes, which will bear very heavily on all portions of the country. The most frugal people would have their wishes gratified. It is better that people should raise

money from a voluntary tax such as the beer-tax and a tax on stamps, and that property should be exempted. All we possibly can do now is to provide for a permanent fund for that which I am afraid will be a permanent charge on the colony. I shall certainly support the resolution of the honorable member for Port Chalmers. I feel confident that great dissatisfaction will exist in the public mind upon this matter. I should rather regret if the Government hurried on this debate, because I feel sure that, in the progress of these Bills—the Tariff Bill and other measures—very considerable reductions will be made. In fact, I think the reductions will be so great, even from their own party, as to completely upset the whole system as propounded by the Government. I hope the Government will see their way to modify some of these proposals to a very considerable extent, especially those few additions to the Customs tariff, which already presses so heavily upon every portion of the community. I have seen by the papers that good men from the Old Country—farm labourers—are working on the Wellington-Foxton Railway at 4s. a day. When we find the poorer classes taxed so heavily and yet having to submit to such a reduction of wages, we should do all we can to take burdens off instead of imposing them. The tendency of the large expenditure of public money which has taken place has been to raise the rate of wages. When I addressed my constituents I told them plainly that I should do all I could to bring down wages, because I felt convinced that wages were altogether too high: but it is no use attempting to bring down wages if heavy burdens are to be put upon the people. That is one reason why I object strongly to any further increase of the Customs tariff, because I consider the burdens which exist press heavily upon the people, especially upon those who are the least able to bear them.

Mr. STEWART.—The question under discussion at present is one of great importance, the consideration of which cannot well be escaped, and one the consideration of which will, I believe, be of great benefit to the country. I know of no subject which calls for more careful consideration—I should almost say careful study—by every member of this House than the financial position of the colony at the present time. This is a question which, I venture to say, has been somewhat lightly considered in the past, and we are now brought face to face with a position of affairs which the Government do not seem to realize, which a large number of the members of this House do not seem to appreciate, but to which the country has now become fully alive. This evening I received a telegram from a portion of my constituents, the Chamber of Commerce, of Dunedin, which body seems to be fully alive to the very perilous position in which the country has been placed by the financial proposals of the Government—proposals which, I venture to say, will, if carried, bring ruin to the colony by driving away capital, discouraging the slightest spirit of enterprise, and retarding the development of the resources of the colony. The telegram to which I have referred was apparently sent from Dunedin at about a quarter to six o'clock this afternoon.

Mr. Turnbull

This is the resolution passed by the Dunedin Chamber of Commerce, and forwarded to me by the Secretary of that body:—

“I am instructed to convey to you the following resolution passed by the Dunedin Chamber of Commerce: Resolved, That, without expressing an opinion as to the propriety of putting on so suddenly such heavy taxation at a time of such depression in the colony, this Chamber is of opinion—1st. That the proposed property-tax would prove most objectionable to the community on account of its inquisitorial character, the difficulty in fairly obtaining it, and the expensive machinery for its collection. 2nd. That, the extra taxes required would be best obtained from the following sources—namely, on the tariff as proposed by Government—but deducting certain items on which the proposed rates are excessive, such as green fruit, preserved milk, &c.—£250,000; previous rates on tea and sugar, £100,000; present land-tax, £150,000; school fees, £120,000: total, £630,000.”

These are considerable sources of revenue. As to the school fees, I see no reason why they should not be readjusted. I venture to say that there are persons sending their children to the public schools who can well afford to pay the fees: in fact, some of the wealthy classes are simply loafing on the schools of the colony. Still, I have not the least doubt that, if fees were charged, they would pay them without the slightest objection. But the Government are afraid to do it. They think it would be an unpopular movement, they are therefore afraid to tackle it boldly, and it is left to a Chamber of Commerce to suggest how the school fees should be managed. The Minister for Public Works said there was no alternative left to the Government but to propose this suicidal system of taxation—the position of the Government was such as to force upon them this ill-conceived, ill-executed scheme which has been propounded by the Colonial Treasurer. The honorable gentleman also said that increased taxation was necessary in consequence of the extravagant policy of the late Government, but he did not condescend to give a particle of evidence in support of that statement. Then the Colonial Treasurer said that the late Minister for Public Works had committed the country to an expenditure of some £2,300,000—a statement which has been not only contradicted, but absolutely disproved; and when a Minister of the Crown makes an accusation of that kind, involving the political reputation of an opponent, he ought to be censured by this House unless he proves it. Had the Hon. the Colonial Treasurer, when he found out his mistake, got up and apologized, as he might have done, I have no doubt the House would have extended to him that courtesy—that generosity—which it always extends to any one who makes a mistake and acknowledges his mistake; because I conceive it to be a matter of the very first importance that, if a charge is made, whether in ignorance or by pure mistake, the person making that charge, when an opportunity presents itself, should immediately retract it, and apologize to the person whom he has assailed for any injustice he

has done. The Colonial Treasurer did not withdraw the charge nor reiterate it, but in a half-hearted sort of way said there was something else; some other accounts of an apparently very extraordinary character were spoken of; but nothing has been done in any way to substantiate the charge which the Colonial Treasurer brought against the late Minister for Public Works. We were told by the present Ministry when they took office that there would be no divided counsels amongst them; they were to be one united happy family, always running into the same lobby together; there was to be no division amongst them in their Councils or in this House. This happy family came to grief one afternoon—upon the now famous Auckland-compact question this proclamation of unity came to a most inglorious termination. Having entered into a compact which nobody has been able to fathom, of which everybody connected with it is ashamed, and which the Government have not ventured to disclose to this House, what did we find? We found the Ministry on that occasion going over, apparently, to the honorable member for Newton, and imploring him to do something which that gentleman's high sense of honor and honesty would not allow him to do. The Premier wanted him to vote against the production of a certain document, and the honorable member for Newton, who enjoys the respect of most, if not of all, of the members of this House, found it inconsistent with his duty, his conscience, to comply with the request made by the Government, and accordingly he declined to go into the lobby as invited. Some Ministers went into one lobby, and some into another; some gave their voices one way and went into a lobby they did not at first intend to go into, thus indicating a very sudden change of opinion. This high-sounding title which the Minister of Education claimed for the Ministry very soon came to grief, and, instead of anything like unity in the Cabinet, we found a very unhappy—shall I say very unfortunate?—division amongst them—a division which brought a measure of inglorious upon them which I believe few Ministries would care to have recorded. Referring to this Auckland compact, the subject seems to be so fertile, it is a subject which can be looked at from so many points of view, and about which so much can be said, that really one need never be done thinking of it. The unknown always leaves room for speculation; the known very little. But in this instance we had a Ministry, one acknowledged to be representing a minority, struggling by all the devices the forms of this House could give them to postpone the day of judgment. They apparently resorted to all the expedients which experience and subtle intellects could devise for bringing the forms of this House into play for the purpose of postponing the division on that no-confidence debate. I contend that, in the first instance, the Ministry did not act constitutionally in refusing to go to a division when the first opportunity presented itself. They apparently took up a very extraordinary position: that, being called to office, they were entitled to remain there so long as it suited their convenience. Finding they could not resist very much longer this no-confidence debate, they

adopted a course which I venture to say will not commend itself—a course which has been condemned by the country, which the Ministry individually cannot defend, and must collectively condemn—a course that will be handed down to posterity with some measure of obloquy. They entered into an arrangement with four members then in opposition, so as to secure their votes. Now, I do say that when a Ministry descended to enter into an arrangement of this kind with four members of the Opposition—members, be it remembered, who were not doubtful members of the Opposition, but who were regarded as the staunchest, the firmest, the most tried members, I may say, of the Opposition—I say that, when they entered into a compact of that kind, they did something which, I venture to assert, when they have some little time for reflection, they themselves will condemn—because I have some respect for the honor, intelligence, and independence of the gentlemen who occupy those benches—after party excitement has subsided, and after those little stray leaves, so to speak, which are apt to warp the intellect, have disappeared. Let it be considered for one moment who those gentlemen were. There was the honorable member for Newton, who is always parading before us his virtues at elections, and stating that he is not afraid to say for whom he is going to vote. We hear a good deal about his virtues and boldness in the constituency he represents. He does not seem to be afraid of anybody in that constituency, and I do not know whether there is anybody there afraid of him. At all events, he seems to have a position there which I hope he will long occupy.

Mr. LONDON.—I hope not.

Mr. STEWART.—The honorable member for the Bay of Islands hopes not. I do hope he will. Now, that gentleman has, I believe, during his whole political career, acted a consistent part until within the last six weeks; and I venture to tell the honorable gentleman that his conduct has been a direct lie to his whole political career. I am told that by his best friends—by gentlemen by whom he is respected: that his conduct during the last six weeks has been a political lie to his previous career.

Mr. SPEAKER called the honorable member to order. He ought not to make use of language towards another honorable member of the House which was calculated to give offence.

Mr. SWANSON.—Let him go ahead. I do not care how much he says.

Mr. STEWART.—I have no desire whatever to say anything but what is fair, and I am merely expressing what the honorable member's friends say of him. The other honorable gentleman who was apparently inveigled to the Government side was the honorable member for Waitemata. That honorable gentleman, I believe, was looked upon as a very staunch supporter of the Opposition—in fact, he was one of the leading counselors of the party. If not the colonel, he occupied some other distinguished position in the Opposition ranks, and yet, apparently, while occupying that position, he was also occupying an ambiguous

position with some other party—I will not say the Government. It was a position not calculated to raise the tone of this House, and such conduct, if allowed to be repeated, will not redound to the credit of the colony. Now, this Auckland compact has been spoken of in very disparaging terms in various parts of the colony, and I believe it will continue to create a certain amount of suspicion and raise a feeling of distrust, until the terms of that compact are fully known. I do think, if there really was nothing whatever to conceal in that agreement, it was the duty of the Government, the duty of the honorable member for Newton, to produce it—in fact, I believe the honorable member wished to produce it, but felt his conscience hampered in a peculiar way by the word “Confidential” being placed at the head of it. That was a device of a very shrewd nature, believing he would not divulge the contents of a confidential communication. I will explain why it ought to be made public. It was a document passing between the Ministry of the day and certain other gentlemen relating to the disposal of public moneys. Now, I hold, as I contended at the time, that it is a fraud on the public to keep secret any such document relating to public property passing between Ministers of the Crown and any other gentlemen in this colony—it is, I say, a positive fraud, if the Ministry attempt to conceal any such document. I mean, of course, a legal fraud. Although the Press of the colony did not enter so fully into the gravity of the situation as it should have done, still it will yet universally condemn the action of the Government in regard to that compact. I will now refer to the production of those telegrams from the Telegraph Office by the Premier the other day. In that matter the Government took upon themselves, without any colour of legal authority, the right to search, or to give instructions to search, the Telegraph Office for telegrams sent to or by members of the late Government. Those instructions seem to have been faithfully carried out, and telegrams were laid upon the table of this House which had no more right to be placed on the table than any private telegrams of mine. I conceive the law on the subject to be this: that no telegrams may lawfully be produced unless with the consent of the sender or the sendee first obtained.

An Hon. MEMBER.—This is your stonewalling.

Mr. STEWART.—Indeed! The Government refuse to extend to us the courtesy of an adjournment to secure the attendance of a gentleman whose presence our party desire, and we are determined that, if possible, he shall be here. It is only courtesy to adjourn to allow a member who is not in health to take part in a debate, and it is the more unfair to refuse it when the member in question is on a sick-bed. It is all very well to say he can speak in another debate. We should then be told we had broken down in this attack on the Government finance, and that we were again attacking them on a side-issue. I am always willing to extend courtesy, but if any one attempts to trample upon me he will find me a rather sharp thorn. I was about to say that

Mr. Stewart

this telegraph question is one of the utmost importance—

Mr. ROLLESTON.—Sir, I should like to know if the honorable gentleman is in order.

Mr. SPEAKER.—Great latitude is allowed to honorable members in a no-confidence debate, and also in a financial debate.

Mr. STEWART.—No doubt the honorable member feels sore upon the point, because he must know that confidence in the Telegraph Department has been endangered by the action of the Government. Already the department may have suffered financially. The Premier made a mistake, and, instead of coming down with one story on one day and another story on another day, he should have admitted his mistake and asked for the indulgence of the House. That would have been a perfectly fair and honorable course, and he would have met with the sympathy of the House. Look at the case of the Native chief, Tomoana. He was induced to support and join the Government by representations which he, in his innocence, at once made public. He told us all about the promises, the position he was to occupy in the future Cabinet, and what was to be done with regard to the Maori race under the present Ministry. He went on the Government benches, but was not long there. He found there was some serious misunderstanding regarding the terms of the arrangement between the Premier and himself, and considered it desirable to withdraw from those benches. His conduct, I believe, met with the approval of every honorable gentleman in this House, and I do not think even Ministers themselves could blame him. All this shows that there was something radically wrong. Then we come to the honorable member for Grey Valley (Mr. Masters). The honorable member for Wai-kouaiti, I think, and some six or seven other honorable gentlemen, had some hand in capturing him; and, curiously enough, he disclosed the reason of his conversion. He spoke of promises which had been made to him; but the exact extent of those promises, or when or where they are to be carried out, has not transpired. They will, however, I fancy, result in his disappointment, as in the case of Tomoana. I refer to these various compacts to show how the Ministry have obtained power, and the object they have in view in attempting to crush the Opposition and force them to come to a division upon this question to-night, when the honorable gentleman who could throw most light upon their proposals is too ill to be present. It also shows the way in which they managed to get upon those benches—that it was really by a side-wind, and not because they possessed the confidence of a majority of this House. But I say that any attempt on the part of a Government to rule the country in that way must result in their discomfiture. A great deal of capital has been made out of this property-tax, and we are told we shall have ample opportunity hereafter of referring to it. I believe myself that this House has not yet realized the very disastrous effect it will have on the future prosperity of the country, and I am sensible that, as soon as it is published through the Press to-morrow, there should be such a howl

of indignation against it throughout the length and breadth of the colony as has never before taken place. To lawyers and those who are acquainted with what a property-tax means at Home, it seems a fair and reasonable tax; and if it was to be imposed in England no doubt it might be a right tax; but such is not the case. Some honorable gentlemen appear to think that it does not extend to such property as furniture and articles of that description; but it does, and the people have been kept in ignorance of its true character. The Treasurer is entitled to some kind of credit for having withheld the Bill so long. He stated that this tax was similar to a tax imposed in America, either by the States Government or by the Federal Government; but the ex-Premier told him, what was quite correct, that no such law as that stated by the Treasurer was ever enacted by the Federal Government. When he solemnly assured the House that it was the same as the Federal law in the United States, he assured the House about something of which he was ignorant. He showed a degree of recklessness and indifference about the law from which this Bill is taken that is quite inexcusable. The land-tax was unpopular at first, but the public seem to have realized the fact that it is more equitable than at first sight appeared, and apparently they are prepared to put up with it. That tax has cost an enormous sum of money to put into operation. Now we find that, before that tax is collected, the present Government have come down with a proposal the effect of which is to push the land-tax to the wall, to throw overboard all the expenses which have been incurred, and to undo all that has been done by their predecessors in office. The object seems to be merely to avoid following in the footsteps of their predecessors. The Treasurer plausibly says the land-tax is to be merged in this property-tax. That statement is calculated to mislead. If you read this Bill from end to end you will find nothing analogous to the land-tax. The valuation is on a totally different basis, and directly opposed to the principle of the land-tax. The policy of the land-tax affected seriously a large number of land-occupiers and runholders: they had to pay on the basis of freehold property. According to this Property Assessment Bill, leasehold land is assessed at its good-will value, as distinguished from its freehold value. This Bill apparently proceeds upon the simple principle of valuations assessed at full value. I apprehend the full value means marketable value—that is, if a person has a yearly tenancy in property, his tenancy is not valued as under the Land-Tax Act, where he is valued as a freeholder. That is an important alteration, which I think the Government ought in fairness to have brought before the House. What does the Colonial Treasurer say, referring to this subject? “The principle of the land-tax has already been affirmed by this House.” By making use of that language he evidently intended to convey to the House that the present policy of the Government is merely a development of the policy carried out by this proposal, and that the public need not be afraid that any radical change will take place. The Colonial Treasurer said he en-

tirely disapproved of land being held for speculative purposes. Then he says, “An income-tax is not applicable to the existing circumstances of the colony. It is inquisitorial, and unavoidably open to great inequalities.” Little as I have seen of this Bill, I undertake to say it will be found inquisitorial, and practically unworkable; and it will meet with as much opposition as a proposal for an income-tax would meet with. There is a power in this Bill enabling an assessor to enter a private dwelling, and make any investigation he chooses. Such a power as that will be objectionable and oppressive:—

“Any assessor may enter, at any reasonable hour during the day-time, upon land or premises for the purpose of assessing real property, and may put to the occupier or owner thereof any questions touching any of the particulars thereof which he is required to furnish.”

Then we have the power given to the Governor in Council to make regulations which will enable assessors to put any questions, and do very much as they please. I do not believe the people of the colony will tolerate such inquisitorial proceedings. That was one of the objections taken by the Dunedin Chamber of Commerce to this Bill, although that body was then unacquainted with the extent to which the Bill goes in that direction. The Bill will be found to be practically unworkable and unbearable. This tax is so sweeping in its nature that it covers everything. I have had a telegram from Dunedin in reference to the tax as affecting machinery. There is a considerable amount of money sunk there for the purpose of encouraging local industries and trade, and bringing that prosperity to the colony which I think every person desires. The effect of this Bill when put into operation will be to paralyze all these industries, to cripple every attempt at enterprise. Those persons who have been labouring for years to acquire for themselves a position in the colony as manufacturers will be most effectually crushed by putting this Bill into operation. Instead of contributing to the wealth of the colony it will produce stagnation, and will drive men who have acquired a competence to England, where they will invest their money, and where they will be free from the excessive taxation which is likely to be thrown on the people of this colony. The provision with respect to personal property means all property whatever, and it will be found to be the weak point in the Bill. In the case of a doctor or lawyer, when the tax-gatherer goes round he will have to decide how much his debts are worth. It is well known that many professional debts are not very good. Such a provision, if carried out, will prove very objectionable. The general rule laid down by all political economists is, that no taxation should be imposed which hinders the development of the natural resources of the country. The question is, whether this Bill will have the effect of fostering and strengthening the national wealth of the country or otherwise. In America—whether in the State of California or of New York I am not sure—the personal property of ministers and priests is exempt up to 1,500 dollars. Now, it is well known that, with a few exceptions in the large

centres of population, the incomes of clergymen in New Zealand are very limited, and to tax their books and furniture would be a great injustice. I wish it to be understood that I am not opposed to a property-tax in a modified form. The land-tax might perhaps have suited the purpose for a time; but still I think that a property-tax, if judiciously arranged, and if the taxation is not excessive, is a perfectly fair and legitimate tax to impose. But the question is whether, having a system for the collection of revenue already in force in this colony, we should, without proper consideration, rush into another system of taxation which may produce a considerable amount of disagreement throughout the colony. I observe that, according to clause 21, "all churches and other places used exclusively for public worship" are to be exempt from the tax. Now, some churches vested in a certain body contain personal property of value, and this exemption does not cover the latter. It does not appear definitely, by clause 21, whether public libraries and literary institutions come within the exemptions. Then, again, is it proposed to tax the property and funds held by agricultural societies? Surely the Government do not propose to cripple the operations of these highly useful institutions in such a way. Leaving these somewhat minor points, I would ask, to what is the present state of the country attributable? Is it attributable to the late Government, or to the system of government which has been in existence for the last eight or ten years? In my opinion, it is owing to the latter cause. It is not right to say that, because the late Government left office when the colony was in a bad financial state, therefore all the blame is attributable to them. Now, this tariff is unnecessarily heavy in some respects, as is proved by the petition from the dealers in and consumers of tobacco in Otago, who pray that the duty shall not be increased more than 6d. per pound. One great feature of all taxation should be to make it gradual, and I hope the Government will see their way to modify their proposal. Then the decision to place a further duty of 2s. a gallon on spirits has created great opposition in the South, where it is thought that 1s. a gallon would be quite sufficient. In the matter of fruit, surely if there is one thing more than another that should be encouraged, it is the introduction of a plentiful supply of fresh fruit. The amount of revenue that will be raised from the increase will be very small, while it may prevent the introduction of much-needed supplies. As to the tea and sugar duty, the Government should have faced that question boldly and openly. The duty was taken off to benefit working-men, but I am inclined to think they did not get the benefit intended. I am sorry the Government have not faced this particular point; but, as I have already said, I am confident that the course the Government have determined upon will land the country in difficulties. I feel that I have protested in a most legitimate and constitutional manner against the hurried and unfair way in which the Government wish to take this division. The question agitating the country is one of vast importance, and I regret to see that it is not receiving

Mr. Stewart

that attention from some honorable members which it deserves. I should have been shirking my duty had I not made this effort to resist what I conceive to be an act of oppression on the part of a majority of this House. I hope I shall never again see the Ministry of the day refuse to extend to the Opposition, in the special circumstances in which the present Opposition is placed, that indulgence and fair-play which are usually accorded to gentlemen circumstanced as we are. Although the Government may succeed on this division, they will not be entitled to regard the result as a reliable expression of the opinion of this House. On the contrary, I believe it will recoil upon themselves, and operate unfavourably upon them. I do not pretend to be a financier in the sense that would admit of my giving a history of this colony financially, but had I expected that the honorable member for Wanganui (Mr. Ballance) would not be present to-night, I should have prepared to enter more fully into the subject before rising to address the House upon it.

Question put, "That I do leave the chair for the purpose of the House going into Committee of Supply;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	17
Noes	...	...	...	...	6
Majority for	...	...	...	...	11

AYES.

Major Atkinson,
Mr. Bowen,
Captain Colbeck,
Mr. Driver,
Mr. Gibbs,
Mr. H. Hirst,
Mr. McCaughan,
Mr. Oliver,
Mr. Rolleston,

Mr. Seymour,
Mr. Studholme,
Mr. Sutton,
Mr. Swanson,
Colonel Trimble,
Mr. Wakefield.
Tellers.
Mr. W. J. Hurst,
Mr. McLean.

NOES.

Major Harris,
Mr. Lunden,
Mr. Moss,
Mr. Shephard.

Tellers.
Mr. George,
Mr. Stewart.

PAIRS.

<i>For.</i>	<i>Against.</i>
Mr. Acton Adams,	Sir G. Grey,
Mr. Bain,	Mr. Montgouery,
Mr. Beetham,	Major Te Wheoro,
Mr. Brandon,	Mr. Brown,
Mr. Bryce,	Mr. Sheehan,
Mr. Dick,	Mr. Hamlin,
Mr. Fulton,	Mr. Ireland,
Mr. Hall,	Mr. Macandrew,
Mr. Hursthouse,	Mr. Gisborne,
Mr. Johnston,	Mr. Barron,
Mr. Kelly,	Mr. J. B. Fisher,
Captain Kenny,	Mr. Shrimski,
Mr. Levin,	Mr. Andrews,
Mr. Masen,	Mr. Bunny,
Mr. Masters,	Mr. Reid,
Mr. Moorhouse,	Mr. Tole,
Mr. Murray,	Mr. Hutchison,

Mr. Ormond,
Mr. Pitt,
Mr. Richardson,
Mr. Richmond,
Captain Russell,
Mr. Saunders,
Mr. Stevens,
Mr. Tomoana,
Mr. Whitaker,
Mr. Whyte,
Major Willis,
Mr. Reader Wood,
Mr. Wright.

Mr. J. T. Fisher,
Mr. De Lautour,
Mr. Speight,
Mr. Finn,
Mr. Ballance,
Mr. Thomson,
Mr. Hislop,
Mr. Tawhai,
Mr. Reeves,
Mr. McDonald,
Dr. Wallis,
Mr. Seddon,
Mr. Turnbull.

The amendment was consequently negatived.

The House adjourned at half-past three o'clock a.m.

LEGISLATIVE COUNCIL.

Tuesday, 25th November, 1879.

First Reading—Third Reading—Wellington Cemetery—Fencing—Qualification of Electors Bill—Protection of Animals Bill.

The Hon. the **SPEAKER** took the chair at half-past two o'clock.

PRAYERS.

FIRST READING.

Registration of Electors Bill.

THIRD READING.

Fine Arts Copyright Bill.

WELLINGTON CEMETERY.

The Hon. Mr. **MANTELL** asked the Hon. the Attorney-General, Whether the Government have taken, or intend to take, any steps to give effect to a resolution of this Council, passed in the session of 1876, with regard to the Wellington Cemetery?

The Hon. Mr. **WHITAKER** said he was informed that the Government had taken a good deal of trouble in reference to this matter, and attempts had been made to obtain a site in different parts of Wellington; but the Government had hitherto failed in obtaining a suitable site. The Corporation had been invited to give their advice, and to point out any site which they might consider suitable; but no site had yet been pointed out by the Corporation for the purpose. He could only assure the honorable member that the same exertion should be made in future by the Government in order to find a suitable site for the purpose, if one could be obtained.

FENCING.

The Hon. Mr. **CHAMBERLIN**, in moving the motion standing in his name, said that, in bringing this motion before the Council, he must confess that he had no idea it would be carried, because he had reason to believe that he would not have with him the sympathy of the majority of the Council. Nevertheless, he thought it was desirable to ventilate the subject, and, whether he was successful or not with his motion, he would

do so. He had been somewhat amused by the observations made by several honorable members since he had placed his motion on the Order Paper. It appeared to him that his notice of motion had created quite a scare amongst honorable members. One honorable member said to him, "Dear me! is it really your intention to bring a motion of this kind forward? Surely you cannot intend to do anything of the kind?" The latest remark made to him was, "It is perfectly useless your bringing forward a motion of this kind: it will not pass." Whether it passed or not he did not care a button. The honorable gentleman who made the last remark to him said he would only be wasting the time of the Council. He had got very little to say on the subject, and, if other honorable members followed his example, there would be very little time wasted. An attempt had been made by the Council to pass a Fencing Bill. He said "attempt," because he felt perfectly certain that, although the Bill might pass the Council, it would not become law this session. What was the state of matters with regard to fencing some years ago? The colony was divided into provinces, each province having its own fencing laws. He was not prepared to say that any fencing laws were so good, so desirable, or so necessary as they might have been. These provincial laws might have suited admirably well, but, now the Provincial Governments were done away with, of course the provincial laws were done away with; and it was now attempted to bring in a general Fencing Act for the whole colony, which he maintained could not possibly be suitable, desirable, or just; because laws or regulations that might be suitable for one part of the colony might be totally unsuitable for other portions. Therefore he maintained that there was no necessity for any Fencing Act whatever, but that the colony should depend upon the common law of England. As far as he understood, under the proposed Fencing Act one could not possibly get redress for trespass; but under the common law of England, where a person's cattle trespassed on other person's land, the owner of the cattle paid the damage for mischief done or property destroyed. Therefore he maintained that the colony should depend entirely upon the common law of England. With the permission of the Council, he would quote the opinions of one or two English lawyers. Hunt, on Boundaries and Fencing, said,—

"According to Dyer, if a man seised of two hundred acres enclose another of fifty acres, the feoffee is bound to enclose them and keep his cattle within the fifty acres, and so is the lord of the residue. There can be no doubt, however, that neither would be bound to enclose for the benefit of the other; it is certainly the duty of every owner to prevent his cattle from trespassing on the land of his neighbour, but no one can be bound to maintain a fence between his own land and the land adjoining."

Then Addison, on Torts, said,—

"Every man is bound by law to take care that his beasts do not trespass upon the land of his neighbours. He may prevent their doing so, either by employing servants to keep them within

the limits of his own land, or by enclosing his land with fences, so that the cattle cannot escape. The making of a fence, therefore, between his own land and that of his neighbour, does not raise any inference that the fence was intended for the benefit of his neighbour, although the fence prevents his neighbour's beasts from trespassing as well his own. It is for his own benefit, to prevent his beasts from trespassing upon his neighbour's property."

Having read these quotations, he thought it could not be doubted that the common law of England was all that was necessary or desirable in this country. He begged to move, That this Council is of opinion that all fencing laws should be abolished in New Zealand.

The Hon. the SPEAKER said that in reference to this motion he did not like to interrupt the honorable member; but the motion could not really be put from the Chair. The Council had already decided in favour of the principle of a fencing law, and, if in the same session this or a similar question could be again put, there would be no end to discussion. It was contrary to the well-known parliamentary rule that such should be done, and, unless some good reason were shown, the motion would not again appear upon the Order Paper.

The hour of four o'clock having arrived, the Council proceeded to the Orders of the day.

QUALIFICATION OF ELECTORS BILL.

On the motion, That the Hon. the Speaker do leave the chair, in order that the Council might go into Committee on this Bill,

The Hon. Mr. REYNOLDS said he wished to ask a question of the Attorney-General as to the meaning of the 1st subsection of clause 2. That provided that every man of the age of twenty-one years should have a vote. In the Interpretation Act of last year the following appeared: "Words importing the singular number include the plural number, and words importing the plural number include the singular number, and words importing the masculine gender include females." Now, under that, would women be given the power to vote? He thought the point might be considered by the Hon. the Attorney-General, because they did not want to make a mistake in this matter.

The Hon. Mr. WHITAKER replied that the honorable member would see that by another part of the same clause it was provided that such an interpretation as was suggested would not apply, when there was something in the subject-matter or context repugnant to such an interpretation. Therefore it would appear not to apply in this case.

Motion agreed to, and the Council went into Committee on the Bill.

Clause 2, subsection (4).—Maori qualification.

The Hon. Mr. TAIAROA moved, That subsection (4) be expunged.

Question put, "That the words proposed to be omitted stand part of the clause;" upon which a division was called for, with the following result:—

Hon. Mr. Chamberlin

Ayes	...	...	...	...	26
Noes	...	...	...	...	5
Majority for	...	...	...	...	21

AYES.

Mr. Acland,	Mr. Ngatata,
Sir F. Dillon Bell,	Mr. Nurse,
Colonel Brett,	Mr. Paterson,
Mr. P. A. Buckley,	Mr. Peacock,
Mr. Chamberlin,	Mr. Pharazyn,
Mr. Edwards,	Dr. Pollen,
Mr. Gray,	Mr. Reynolds,
Mr. Holmes,	Major Richmond, C.B.,
Mr. G. R. Johnson,	Mr. Scotland,
Mr. Kohere,	Mr. Waterhouse,
Mr. Lahmann,	Mr. Whitaker,
Mr. Martin,	Mr. Wilson,
Mr. Menzies,	Mr. Wood.

NOES.

Mr. Dignan,	Mr. Peter.
Captain Fraser,	Mr. Taiaroa.
Mr. Henderson,	

The amendment was consequently negatived.

The Hon. Mr. WILSON moved the insertion of the following new subsection in clause 2: "No person who shall have been more than once attainted or convicted of any treason, felony, or infamous offence, as hereinbefore expressed, anything to the contrary notwithstanding shall be entitled to be registered."

Question put, "That the words proposed to be inserted be there inserted;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	5
Noes	...	...	...	...	17
Majority against	...	...	...	...	12

AYES.

Mr. G. Buckley,	Mr. Wilson,
Captain Fraser,	Mr. Wood.
Mr. Nurse,	

NOES.

Sir F. Dillon Bell,	Mr. Miller,
Colonel Brett,	Mr. Paterson,
Mr. Chamberlin,	Mr. Peacock,
Mr. Dignan,	Mr. Peter,
Dr. Grace,	Dr. Pollen,
Mr. Holmes,	Mr. Reynolds,
Mr. G. R. Johnson,	Mr. Scotland,
Mr. Lahmann,	Mr. Whitaker.
Mr. Menzies,	

The amendment was consequently negatived. Bill reported with amendments.

PROTECTION OF ANIMALS BILL.

The Hon. Dr. POLLEN, in moving the second reading of this Bill, said its object was practically to abolish imprisonment for offences under "The Protection of Animals Act, 1873." That Act provided that a person killing or taking game without a license was liable to a penalty not exceeding £20. One of the clauses provided that all penalties should be recovered in a summary

way under the Justices of the Peace Act: after a conviction was had, the proceeding would be by the issue of a distress warrant against the goods of the person against whom the judgment was obtained, and, if there were no goods, a warrant could be issued for the imprisonment of the offender. He understood that under that Act cases of very considerable hardship had arisen, and that men had been subjected to long terms of imprisonment for breaking its provisions. It should be said, on the other side, that if this amending Act were passed the offenders against the law who had no goods or property whatever would practically have an immunity from any punishment under the Act. Whether the Council would be disposed to take the view which had been taken of the matter in another place, was more than he could say at present. He would content himself now by moving the second reading of the Bill.

The Hon. Mr. WATERHOUSE had a slight amendment to move, and that was, That this Bill be read a second time this day six months. He did so for this reason: that this Bill introduced a new and most objectionable provision into our legislation—that provision being that, because a man was a poor man, he should not be subject to the penalties of his transgressions. This Bill introduced, with a vengeance, one law for the rich and one for the poor. If a man was rich, he was to be subjected to the law; if he was poor, he was to be free from the law. Speaking on the general principle, altogether irrespective of this particular measure, he would maintain that if a man violated the law he should still be subject to the penalties which the law inflicted, whether he were rich or poor. It was quite clear that, if this Bill were passed, the Protection of Animals Act would be a dead-letter. It would be open to any person to break through the law as he pleased, provided only that he were a poor man. He did not think the Council would legalize any such proposition.

The Hon. Captain FRASER intended to support the Bill. The Protection of Animals Act, even if this Bill were passed, would go quite far enough. Indeed, a feeling was arising in the colony that there were a great deal too many of these penal Statutes. The greatest curse England ever had was the game-laws. Game-laws had broken up many a family, and sent to the colonies many a man who had afterwards become eminent. As a step in the direction of preventing the growth of game-laws here, he should support the Bill.

The Hon. Mr. P. A. BUCKLEY referred to the 16th section of the Protection of Animals Act, and said there was not a word in that section about imprisonment for any offence. He thought it would be advisable for the honorable gentleman in charge of the Bill to reconsider the drafting of the 2nd section, because it did not seem to meet the case it was proposed to meet.

The Hon. Mr. WOOD said that if this Bill passed it would render all legislation on this subject entirely useless. He had known persons to destroy game in a most wholesale manner. He had known persons possessed of considerable means to

take out sacks and bring them back filled with young ducks. Besides that, the acclimatization societies had expended large sums of money in the introduction of various kinds of game, and it was necessary that these societies should be protected in their efforts for a certain time at least.

The Hon. Mr. WHITAKER thought his honorable friend Mr. Waterhouse had drawn too vivid a picture of this matter. It amounted to this: that the Bill would exempt the poor man from any penalty, while the rich man would have to pay. That was not exactly the case, for the Act at present in force was this: that, if any man was convicted for an offence under the Act and a penalty imposed, his goods became liable, and, if he had no goods, then he might be committed to prison. Thus both the poor and the rich man were in the same position so far as the goods were concerned; but, if it was found that there were no goods to distrain upon, if the warrant was returned "*Nulla bona*," then the person convicted might be sent to prison. The rich man, however, would not have to go to prison under any circumstances, and therefore the law was harder upon one party than on another. It was for the Council to consider whether it was a sufficient penalty to take away a man's goods, without rendering him liable to be sent to prison. However, he had a peculiar interest in this Bill, because one of his colleagues had sent him a clause which he was particularly desirous of having inserted in the Bill. It appeared that in many parts of the colony there were certain kinds of protected game, such as hares and pheasants, which were becoming troublesome, and caused great loss to farmers and others, and the object of the clause he wished to insert was that, wherever there was an excess of any particular kind of game, then the Governor might declare that game of that kind might be destroyed. He hoped the Bill would be read a second time, if only to enable him to introduce this clause.

The Hon. Mr. PEACOCK said he should vote for the amendment. As to what had fallen from the Attorney-General, he thought, under the Protection of Animals Act, the Superintendents had power to declare districts in which game might be killed. No doubt that power was now possessed by the Governor. He would support the amendment, because, otherwise, the Protection of Animals Act might as well be repealed altogether. Some people seemed to think that a poor man had a perfect right to break the law whenever he pleased; but he (Mr. Peacock) would not agree with that, and he altogether dissented from the principle of the Bill.

The Hon. Mr. WILLIAMSON also felt that he must support the amendment. He concurred in the opinion that, if the Bill were passed, the Protection of Animals Act might just as well be done away with, because, as a rule, people who broke the provisions of that Act were poor men. Independently of that, it was a great nuisance to have persons travelling over one's ground. He also thought that the acclimatization societies had done good work, and they were entitled to some consideration at the hands of Parliament.

The Hon. Mr. REYNOLDS hoped the amendment would be carried; otherwise he did not see the use of maintaining the Protection of Animals Act on the Statute Book. If it was desired not to impose a penalty for killing game, let the Act be repealed altogether. In the Middle Island there were a great number of rabbits, and rabbiters were employed to kill them on Crown lands. Many of those men, if they knew that no penalty attached to them for killing game, or if they knew that they would not be sent to prison when they could not pay the penalty—and, as a rule, none of them would have a penny to pay any fine that might be imposed upon them—would at once take to killing all the rarer kinds of game, not so much for the sake of killing them as for the purpose of making a living.

The Hon. Mr. MENZIES would rather accept the amendment than take the Bill as it stood; but he thought the best way would be to lessen the penalty. The Act provided that any person killing game without a license should be liable to a penalty not exceeding £20. Of course it rested with the magistrate to say what penalty should be inflicted, but the maximum was generally some guide, and, if that were reduced from £20 to £10, the Act would be much less objectionable.

The Hon. Colonel WHITMORE should support the amendment, for the simple reason that there was a class of persons growing up in the country who preferred the excitement of "poaching," as it was called in England, or "trespassing in pursuit of game," as it was called here, to getting their living by honest work. These persons broke into private property nominally to search for game, but really to steal turkeys, kill pigs, *etcetera*, and they travelled about in such numbers and force as to be irresistible. This was not the sort of thing that the country should even indirectly encourage, more especially as the magistrates, not in obedience to public opinion, but in fear of something mistaken for public opinion, so carried out their duties that it was difficult to get them to uphold the law even in the grossest cases. The closer settlement became, the worse this kind of terrorism would become, unless magistrates were found courageous enough to carry out their duties; but he hoped that, in view of the common interest, property-holders would have the courage to lay informations, which at present they were afraid to do. Certainly the law should not be perpetually amended in the direction of giving greater facilities to the persons who followed this occupation for a livelihood. There was no reason whatever in many cases why imprisonment, as an alternative to a fine, should not obtain; and, while he was willing to give any kind of relief to persons who complained of the protection of game-animals which might be injurious to *bonâ fide* settlement, he did not think the law ought to be amended in the direction proposed. He knew a neighbour of his who had annually, at a critical time of the year, to put up with great inconvenience and loss. At the time referred to, every Sunday, regularly, a band of these rowdies, sometimes as many as fourteen of them, went on to the land with guns and dogs, frightening sheep, and leav-

ing all gates open, so that the sheep got out of the specially-constructed paddocks in which they were placed, and became mixed. Damage was thus done to an extent which could hardly be estimated. This had been going on for years, and yet this gentleman had not the courage to lay an information. When remonstrated with by his friends, he gave as one of his reasons that it was no use bringing the men before a magistrate, as they would be treated very leniently. He (Colonel Whitmore) hoped the law would not be relaxed any further, so as to encourage this sort of thing.

The Hon. Dr. POLLEN hoped the Council would accept the suggestion of the Attorney-General and allow the Bill to be read a second time, in order to allow the clause of which he had spoken to be introduced in exchange for the present 2nd clause in the Bill. The object of the new clause was to amend clause 10 of "The Protection of Animals Act, 1873," which provided that the season during which game might be taken should not in any case extend over a longer period than three months. There was a necessity to extend that term. It was said that in many districts hares had become so numerous as to be a nuisance. In fact, they were as destructive as rabbits. The object of the proposed clause, then, was to enable the Governor to make special provision to meet these cases; and such a power was absolutely necessary. He hoped that, in that view of the matter, the Council would agree to the second reading of the Bill, and allow it to go into Committee.

The Hon. Mr. ROBINSON hoped the Council would not read the Bill a second time, for the reason given by the Hon. Dr. Pollen. If hares had become a nuisance, they should be withdrawn from the protection afforded by the Act of 1873. The Government had power to do that already. If the suggested clause were passed, and the time extended for killing hares, people would take the opportunity of extending the time also for killing the rarer game.

Amendment agreed to, and Bill ordered to be read a second time that day six months.

The Council adjourned at five minutes to ten o'clock p.m.

HOUSE OF REPRESENTATIVES.

Tuesday, 25th November, 1879.

Third Reading—Public Works North of Auckland—Coasting Trade—Supply.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

THIRD READING.

Te Aro Reclamation Bill.

PUBLIC WORKS NORTH OF AUCKLAND.

On the motion for going into Committee of Supply,

Hon. Mr. Williamson

Mr. LUNDON moved, That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider of an Address to His Excellency the Governor, requesting him to recommend for appropriation by this House the sum of £50,000 for expenditure on public works north of Auckland—such sum to be apportioned amongst the several counties in the district as follows: Mongonui County, £10,000; Hokianga County, £10,000; Bay of Islands County, £8,000; Hobson County, £6,000; Whangarei County, £6,000; Rodney County, £6,000; Waitemata County, £6,000: the expenditure thereof to be intrusted to the several County Councils, subject to the approval of the Minister for Public Works being given to every proposed work as being one of public utility. In support of this resolution, he would go back to the first vote that was taken in the Provincial Council of Auckland in 1862. In that session a sum of £500,000 was voted for public works, but all that money was spent in carrying out improvements about the City of Auckland, and on the Auckland and Drury Railway, and the Onehunga Wharf. Not one sixpence of that £500,000 had been spent north of Auckland. The next vote in the House for roads and works in the North Island was taken in 1870. A sum of £400,000 was then voted. The expenditure of that sum was entirely in the hands of the late Native and Defence Minister, Sir Donald McLean: £100,000 was spent each year for four years. In the same session a sum of £400,000 was voted for the Middle Island. That amount was apportioned off to the various districts in the Middle Island, and they had the expenditure of the money. In the session of 1871 he saw a return submitted to the House showing that a sum of £98,000 had been spent south of Auckland, and not one shilling north of Auckland. He afterwards had a conversation with the then member for Rodney (Mr. Farnall), and got him to move a resolution that £100,000 of the £400,000 should be spent north of Auckland. The Government opposed that motion, the Defence Minister stating that the vote was for carrying out roads and works in the disturbed districts, and that the Maoris were at peace in the North of Auckland. The Middle Island people were very generous, and gave £100,000 of the money voted to be spent in the North of Auckland. He would state how that money had been spent. Forty thousand pounds was given for the construction of a railway from Riverhead to Helensville, and £25,000 for the construction of the Mangere Bridge, south of Auckland; so that not more than £45,000 was available for the north. From that time he had heard of no vote for public works north of Auckland. There was a vote on the estimates for a railway to the Kawakawa in 1871, but the money had not yet been appropriated. The company was liable for that. The General Government were not liable to carry on those works. This was a private company, and was to pay a percentage for the use of the money; so that he did not look upon this as a work in connection with the Public Works Department, or as a public work north of Auckland. The £40,000 voted for works north of Auckland

was expended in the making of roads in the districts represented by members who had the most influence. For instance, the honorable member for Auckland City West (Mr. Hurst), who was a member of the Provincial Government, got the then Public Works Minister (Mr. Ormond) to have a road made from Shoal Bay to the Lake, where he lived. A sum of £5,000 was intrusted by the late Sir Donald McLean to the Native Minister, Wiremu Katene, for expenditure in the Maori districts; and he had heard that that money had been very well spent. He had no doubt it was; but it would be very hard for any one in the North to say where it was spent. He had gone over the country and had not seen the slightest sign of the expenditure of any of that £5,000. There had been a great deal of money voted by the House for public works during the last ten years. The total indebtedness of the country was some twenty-three millions, and out of that the larger portion of the inhabitants of Auckland had got nothing except the £40,000 to which he had referred, and which had been misapplied and not spent on any useful work in the district for which it was voted. With regard to the Waikato, the Government had no land of their own in that district; but, when it was in distressed circumstances, the then Superintendent of the province, Mr. Whitaker, came down to Wellington and obtained £100,000 from the then Premier, Mr. Stafford, which was to be arranged for when Parliament met. When the House assembled it confirmed the arrangement. Every district had got something but the one whose claims he was now advocating. A large military expenditure was going on in the Waikato when the troops were there, and a considerable length of macadamized road was made by the troops, while in the North of Auckland there had not been ten miles of macadamized road constructed. Then, the Provincial Council spent every farthing it could spare in the Thames District, on the ground that it was a young child and wanted plenty of nourishment. The child had grown old, but it was not very strong. The Native Minister, in his Statement the other night, showed that £12,000 had been spent at the Thames out of a vote of the previous Parliament for Native purposes. There was not a member of the House who was more astonished at that statement than he (Mr. Lundon) was. He was surprised that a Native Minister could act so partially in regard to such a large sum of money as to spend it in one district, when he knew there were others more deserving and more in need of the expenditure. The resolution which he was proposing no doubt looked a very large one, asking, as it did, for a sum of £50,000; but the House must recollect that in the part of the country for which he asked this expenditure there was a population of 20,000 persons who had been there for twenty years. There were seven large counties north of Auckland. The north of the province was two hundred miles distant from the City of Auckland, and consequently those who lived in the south were not very much interested in it; and it was left to those who lived in the district to bring

forward its claims. Although the sum asked for appeared large, it was, compared with the size of the country concerned, really very small. The district of which he had most knowledge was Hokianga, and he said, without fear of contradiction, that neither the Provincial Council nor the House had ever voted one shilling for that district. It was quite true that the late Minister for Public Works had spent £1,000 there, but that was the only public money that had ever been expended in the county. He did not wonder at the financial position into which they had got when all the money was lavished on the centres of population—Wellington, Christchurch, Auckland, and Dunedin,—while the out-districts got nothing at all. He did not believe that a single petition had been presented from the North of Auckland this session, or, in fact, during any session. Other districts had Mayors and Chairmen of County Councils lobbying at the front doors and the back doors, wanting assistance; but the district whose claims he was urging had never, to his knowledge, applied to the House for any aid whatever. The people there came out from England, and were called in Auckland the Forty-Acre immigrants. They were put on their allotments, and, although the land was bad, they stuck to it, and they had been no trouble to the House that he was aware of. Then, as to the Natives. There was a large Native population in the North of Auckland. He was glad when he heard the late Premier, Sir George Grey, state that in 1845 there were as many as two thousand of these Natives in the field fighting for the Queen, as the fact furnished another reason why, if any people should get aid from the Parliament, these people in the North should. There were large and influential tribes in the North who had never yet transgressed the law, never sent petitions to the House, and never had a shilling spent in their district with the exception of £150 the late Native Minister gave them last session, on condition that the County Council would give them another £150 to make a road. There was a petition presented this session by descendants of Tamati Waka, asking for £4,000 to make a road from Okaihau, at the Bay of Islands, to the head of the Hokianga River. It seemed that at the present time the only means of communication between the two places was a rat road made by their great-grandfathers a hundred years ago, and that there had never been a shilling of public money spent there. He had heard the late Native Minister promise to have this road made, but he had heard so many of that honorable gentleman's promises that he put very little faith in this promise, and was agreeably surprised when he found, from the evidence taken before the Committee, that the late Government had really intended to commence the work, but that the Public Works officer reported that there was no officer of the department in the district, and that therefore they knew nothing of the matter. He knew that the Premier and the Minister for Public Works would get up and say they would very gladly agree to this resolution, but there was no money. Now, he was willing to help the Government in

Mr. Landon

every way he could to reduce the estimates, so as to get some money for this vote. In the County of Hokianga the Government owned 366,000 acres of land, and, if the £50,000 which he asked for were to be spent in that district, it would considerably enhance the value of Crown property. The expenditure of 1s. an acre on the 366,000 acres would have the effect of increasing the value of the land in the public market, because the reason that land could not be sold there was, that the people could not get at it. There were in the County of Mongonui 210,000 acres, and in the County of Bay of Islands 110,000 acres, and altogether the Government held in those three counties 736,000 acres. When Mr. Speaker was Minister of Immigration, he said he had instructed Captain Heale to visit the district, and report upon it; and that gentleman had stated that he had never seen a better district in New Zealand, or one that was more neglected. The then Minister of Immigration (Mr. Speaker) seven years ago gave orders for the construction of a road to be made to the mouth of the Awanui River; but from that day to this nothing had been done except that a surveyor had been sent there, and a survey made. The present Native Minister was in the district the other day, and he said it was a very fine district; that there were 100,000 acres of land there which anywhere else would be worth £6 an acre, and that he would help any one in the House to get something done. He (Mr. Landon) then had no notion that he would be in the House himself. The County Council of Hokianga, of which he was a member, recently had occasion to send a deputation of two members to an adjoining county, and, although the distance was only forty miles, the journey there and back cost them £22. There was a great deal of traffic from Whangaroa to Kaipara, and, although the Bay of Islands was only forty miles from the head of the Wairoa River, persons wishing to go to Kaipara had to take a steamer to Auckland, and go from there to Riverhead by railway, and along to Helensville, and from there to Kaipara—thus having to travel altogether a distance of two hundred and fifty miles. This was all because there was no communication across from Hokianga to the head of the Wairoa River, or from the Bay of Islands to the head of the Wairoa. He showed this resolution to the honorable member for Waitemata, who asked him where the County of Hobson was. Just fancy a man coming from Auckland—a man representing a North of Auckland constituency—not knowing where the County of Hobson was. It was quite true—the honorable gentleman did not know; and he did not suppose there were half a dozen members of the House who did. In advocating this motion he had spoken chiefly on behalf of the Counties of Mongonui, Hokianga, and Bay of Islands, all of which he represented in the House. The honorable member for Marsden he believed would second the resolution, and he could speak for the district from which he came. The honorable member for Rodney and the honorable member for Waitemata were in their places, and he now asked those three honorable gentlemen to say what they could for the

County of Hobson, because that county was not represented in the House.

Captain COLBECK had as loyal a desire to serve his district as the honorable gentleman who had just sat down, but, although he seconded the resolution, he was bound to acknowledge that this was an inconvenient way of proceeding in order to obtain that which they claimed for the district. To prove to the House that he was thoroughly in earnest in seeking for his district that to which it was entitled, he might say that he had been charged, not only in the House, but outside, with having sold himself for what had been called "pelf." The result of the operations of the Government during the session would prove whether or not any of the other Auckland members or himself had sold themselves to the Government for public works. He claimed that his district had been shamefully used in the past, and declared that it was his intention to demand, from whatever Government might be in power, justice towards North Auckland. But he would proceed in a manner that would be right and fair to the Government in power, and not in a way that might inconvenience them. He would take advantage of this opportunity to say that the charges of those honorable gentlemen who had lost the votes of the four Auckland members would recoil upon their own heads, and before long. It would be proved to the satisfaction of the House that the gentlemen who left the Auckland party were men who were neither bought by promises from the Government nor actuated by any desire to obtain for their district that which was not right. Neither the party of four nor the Government acted in a way the House would not approve of; and, with regard to the precious document which was said to be held by the four Auckland members, and which was to prove that they sold themselves, and that the Government bought them, the Public Works Statement, which would soon be made, would refute this statement.

Mr. GEORGE thought the honorable member for Marsden had seconded the motion in a manner which seemed to be nothing more than an attempt to throw cold water on it. The whole of the honorable gentleman's speech seemed to be merely an excuse for having gone over to the Government party. He began by saying that this was a very inconvenient method of obtaining redress. Now, he (Mr. George) thought it was a constitutional and proper method. When a member had a grievance, the proper time to bring it before the House was on the motion for going into Committee of Supply. Speaking to the motion itself, he must say he thought the time had arrived when justice should be done to the North of Auckland—that portion, he meant, which was north of the Waitemata. Even in the time of the Provincial Government, the North of Auckland never received justice: in fact, up to the present time the expenditure of public money in that portion of the colony had been a mere trifle. As the House was aware, a vote of £60,000 was taken for works in that district a few years ago, and at the time when the honorable member for Onehunga was a member of the Government. Some £15,000 to £18,000 of that vote was taken

to construct a work which just came within what was designated as the North of Auckland—he meant the Mangere Bridge, this bridge being about a quarter of a mile north of the latitude of Auckland: at least he was informed by a late Minister for Public Works that this was why a portion of that vote was so expended. He did not think they would be able at the present time to get this money out of revenue; but, if the Government would give an assurance that when the five-million loan was raised they would set aside this sum for roads north of Auckland, he, and also he thought the honorable member for the Bay of Islands, would be satisfied.

Mr. OLIVER said he had listened with great interest to the speech in which the honorable member for the Bay of Islands recounted the injuries his district had received from the late Provincial Government. He had no doubt the district had been shamefully neglected; but the introduction of a motion of this character was not the way to obtain redress. The only result of carrying it would be to initiate a scramble among members representing every part of the colony where the expenditure of public money was required. Some time ago a system of local government was created by the House, in order to undertake the conduct of local affairs and the expenditure of the money received in the shape of rates and subsidies in those districts. When that system was inaugurated it was supposed that the scrambling which had been witnessed in the House would in some measure cease, and he was bound to say that lately there had not been so much of it as formerly. The local Government, however, admittedly were not perfect, and no doubt steps would have to be taken to make them more perfect—steps which would permit them to share, after a well-devised plan, a certain portion of the public revenue. That plan had not yet been matured; and he thought the honorable member would do well to withdraw the motion for the present, resting assured that, in the distribution of the funds at their disposal, the Government would exercise the utmost care, not only to do justice to his district, but to all other districts in the colony. Honorable members had been made aware of the smallness of the resources of the Government, and it would require the utmost care, industry, and judgment to divide these funds in such a way as to meet the fair claims of each district. It was not to be supposed that this or any other Government would succeed in satisfying every demand, but the honorable gentleman might rest satisfied that his district would not be neglected. The honorable member for Marsden was quite justified in clearing away the misrepresentations which had been made with regard to himself and other honorable members. The exact nature of the transaction to which he alluded was as well known to every member of the House as to the honorable gentleman himself, and any attempt to misrepresent it any longer must bring discredit upon those who made that attempt. With regard to the honorable member for Rodney, it was unfortunate, perhaps, that he always represented districts which were unfairly treated. Last year

they constantly heard that a district on the west coast of the Middle Island had been very unfairly treated, and this year they had exactly the same tale with regard to the district he now represented; but every member of the House could a similar tale unfold. He hoped the honorable member for the Bay of Islands would accept the assurance he had given, and withdraw the motion.

Mr. LUNDON said he would not withdraw the motion.

Mr. TAWHAI said that the Mongonui District had returned a member to that House for many years, but he had never seen any money spent in the district. When Wi Katene was the member for the district, certain moneys were given to him to be spent there; but, instead of spending it there, he was persuaded by people in Auckland to spend it in other places close to Auckland. Even since his time several years had elapsed, and still he had seen no money spent in making the roads in the district that were required. The money of the colony was not distributed fairly over those districts, notwithstanding that the Government drew revenue from them. There were several Customhouse offices established in the northern district, where a considerable amount was collected in the shape of duties. The Maoris were very lavish in buying tobacco and other things; and the duties collected on those goods ought to be distributed over the place. There was no Customhouse in the Waikato District, and no duties were collected there; nevertheless the roads there were metalled, their railways were opened up, and general improvements were carried on: while the northern districts were totally neglected. The best thing for the Government to do was to consent at once to distribute a fair share of the money over the districts that he was speaking of, and not merely to say that they would give it due consideration. For several years the country had been borrowing money from England, and he thought that money was to be expended over the whole Island, and the whole Island was to pay for it. But it had only been expended in a part of the Island, and not in the North at all; but he supposed the North would have to help to pay for it. The Government should at once agree to distribute a fair share of the public money over the northern districts, so that it would be right to say that the whole colony participated in the borrowed money. If some of the Auckland members were to visit that part of the country, and trust to the roads there, they would disappear in the mud and mire. The roads that the people had there were simply the roads that were left to them by their ancestors. The only lands there on which borrowed money had been expended were the lands purchased by the Government. Although no wonderful improvements had been made on those lands, still the money had been spent there. He thought the Government should see that the public money was spent in a proper manner. He would support the motion of the honorable member for the Bay of Islands, that a respectful address should be sent to the Governor, asking that so many thousands of pounds should

Mr. Oliver

be granted for the purpose of general improvements in the northern district.

Mr. SHRIMSKI had been struck by the statement of the honorable member for Marsden, that he had endeavoured, since becoming a member of the House, to do his duty properly. Nobody could deny that who had heard the honorable gentleman say that he would support any Government that would make a railway to his door. The honorable member said that to put a motion on the Order Paper asking that money should be devoted to carrying on works in a district was not the proper course to take; but, if that was not the proper way, he (Mr. Shrimski) would like to know what was. All honorable members were sent to that House to obtain justice for their districts, but they should not attempt to do so by sidwinds, and by cringing at the doors of Ministers. Was justice to be obtained for any particular district of the colony by sacrificing one's self-respect as a member of the House, and as a man, and by kneeling at the doors of Ministers to try and get something out of them? No. That was not the way. Justice should be sought for in an honest, straightforward way in the House itself, where every member could see whether what was being done was right or not, and not by cringing to Ministers and promising them support, in order to get what was wanted. He regretted, also, to hear the Minister of Lands entirely concur with the honorable member for Marsden, that this was not the way to obtain public works. All he could say was that, if it was not the proper way to obtain justice, he very much regretted that the honorable member should represent constituents who would ask him to sacrifice his principles and his self-respect as a man to get works carried out for them. He (Mr. Shrimski) was proud to say that his constituents would never ask him to do such a thing, and if they did he would not consent to do it. He would support the resolution, because it was brought forward in an honest and straightforward manner, and a manner disapproved of by the honorable member for Marsden.

Mr. SEDDON had really been much edified by the discussion on this motion. All honorable members would agree that May on Parliamentary Practice was a standard authority, as also Byles on Bills of Exchange, and Chitty on Contracts; and now they had London on Electoral Reform, and Colbeck on the Easiest Method of Raising Money from a Government—a work that should be read by all political turncoats. They had, also, George on Transfer of Warrants from the West Coast to Rodney, Oliver on Due Consideration, and Tawhai on Maori Identification—especially addressed to Wellington reporters; and, last of all, they had Shrimski on Political Morality. These were really all very valuable works in their way, but the House could not get away from the fact that the resolution before it was scarcely the right way to go about getting justice done to the north part of Auckland. Honorable members must know that, in the present financial position of the colony, to ask for large sums of money like this to be expended in a particular district was to do injustice to other parts of

the colony. As he had objected to a similar motion on a previous day, so he would also object to this. The Government must do justice to all parts of the colony, and until they had brought forward their Public Works Statement it was not right to judge them. If the House passed such a resolution as this the Government would, of course, throw upon it the responsibility for the expenditure of the money, and would make it an excuse for not doing justice to other places. He thought sufficient had been said in the matter; and, as it had been brought under the notice of the Government, they would no doubt see their way to rectify any wrongs which might exist. As the Minister for Public Works said, nearly every outlying district in the colony could make good its claim to the consideration of the House. He must say that, although the troubles of the West Coast had been transferred to Rodney through a change of seats by an honorable member, still very many of the West Coast impetuous troubles yet remained. As, however, the Government had given promises of redress next session, and had also promised to support certain amendments in the present Counties Act so as to put the people there on more equal terms with more favoured districts, the best thing its representatives could do would be to wait patiently and see if the promised amendments were carried out. It must be clear to all that local self-government, as at present in operation, was not equal to what was expected from it. From what was said by the honorable member for Port Chalmers on the previous evening, it appeared that the same feeling existed still that existed when the measure was first passed, that only the thickly-populated centres were to be taken into consideration, and the outlying districts were to be left out in the cold. He had no doubt that the scheme of the honorable member for Port Chalmers would suit Otago very well indeed, because the people there could keep up their police and carry on their works, besides supporting a system of education, as they had plenty of revenue; but other districts could not do that. The resolution now before the House opened up a very wide subject, and, as it would take a considerable time to discuss, he hoped the mover would withdraw it, feeling that he had done his duty to the part of the country he represented, and being certain that if the Government did not do justice to that part of the country the House would insist upon its getting fair-play.

Mr. TAINUI said what the honorable member for the Bay of Islands had stated was perfectly right concerning his district, because the money that was authorized to be expended there had passed into the hands of the Superintendent for expenditure, and the Superintendent, acting on his own account, considered that it should be expended in places near the City of Auckland alone. The honorable member for the Northern Maori District had informed the House that a number of Customhouses had been erected in that part of the colony; so that every one could easily tell what amount of revenue was collected in these districts through the Customhouses. He knew that the principal towns in which there

were Customhouse Departments were Wellington, Napier, and Auckland, in the North Island, and Port Chalmers and Lyttelton in the South Island. The Europeans were well aware of the fact that where the most Europeans were there the most revenue was obtained, and therefore where they raised the most revenue the most public money should be expended. The revenue of the South Island was much larger than that of any other part of the colony, because there was everything in the South Island—precious stones, and other things. He approved of what the honorable member for the Northern Maori District had been asking for, that money should be granted for improvements in his district—for roads, and other things. But he thought all places should be taken into consideration, and the money fairly distributed where required. He knew of several Native reserves in his part of the country to which roads had not been made, because the Maoris had not been asking for money to be expended there. That was why he said every place should be equally considered before any money was given to any one place. The Government might think, with regard to the Native reserves he was speaking of, in the possession of the Maoris, that, because it happened to be plain land, there was no necessity for roads; but that was not the case. There were some places which were very rough, and he thought the Government should make roads to those places. The Government should fairly consider this matter and every matter which affected the Maori and European races, and remedy them accordingly.

Mr. MACANDREW had listened with much interest to the speech of the honorable member for Mongonui. He made a very forcible appeal, and, if it should be decided by the House to deal with local works in future, he (Mr. Macandrew), for one, would certainly support this proposal. But, unless that were done, he did not see how they could very well make an exception in the case of this particular district. It might be justice; but there must be justice to all, and there were a great many districts throughout the colony which had equally pressing claims. He was not sure but that, after all, it would be better for the Government, instead of paying half a million a year in the way of subsidies to local bodies, to take the matter into their own hands. He had really come to the conclusion that probably the money would go further if dealt with directly by the Government, and cases like this might then be met. However, that was really a new phase of the question. He regretted that the Minister for Public Works did not give a more certain sound upon this subject. He almost led them to infer that the Government proposed to deal with local works piecemeal. If so, he certainly thought it would be a mistake, unless the Government took the whole thing into their own hands, and dealt with it on some well-defined and comprehensive general principle. It was utterly impossible for the House to deal fairly with different localities throughout the colony, unless they took the whole thing into their own hands, and, instead of dispensing the revenue partially through these local bodies, dispensed it themselves. The honorable

member would do well to withdraw his motion, in the meantime. He (Mr. Macandrew) saw no possibility of its being assented to. They should wait and see what the public works policy was to be. Possibly there might be some means provided in the Statement, although he confessed he did not see how that was at all possible. He still thought it would be better, on the whole, to leave all those local works to be dealt with by the localities themselves, and that the colony have nothing to do with them whatever. Let them raise and spend their own revenue. The honorable member for Hokitika misunderstood what he said the other day in speaking of localizing the police force, education, and certain other departments. He believed it would be better for the localities themselves if that were done, because then the colonial taxation must needs be reduced to a very great extent, and there was no doubt whatever that the expenditure would be much better looked after by the local bodies. When the money was locally raised, of course there was an interest in seeing that the most was made of it. He regretted, in one sense, that he could not support the motion. The honorable member had made out a very good case; but it would be like the letting-out of waters. If they yielded in this case they must follow suit with fifty other claims from different parts of the colony.

Mr. SPEIGHT did not regret that the honorable gentleman had brought forward this motion, because, if he had done nothing else, he had caused the House to look at the difficulties struggling country districts had to contend with. Speaking from personal knowledge of the district, if it trusted to what were called counties and local governing bodies, he could only say, God help such bodies. Their idea seemed to be to foster little centres of population, and to let the country remain in the state in which it was long before those bodies were called into existence. The difficulty of getting across the country there was considerable. If it was thought that because they had set up what were termed counties they had got rid of the difficulty of settling this country, they made a great mistake. The sooner the Government recognized that provision would have to be made to open up this country by roads or some other means, the better it would be for the country. With regard to this particular district, he was perfectly safe in saying that it never had by way of special vote one shilling of public money; while, on the other hand, the income derived in the district by the Government from Customs and other revenues was increasing year by year. The honorable member had called attention to a crying and acknowledged evil, and it would in the end be the means of calling attention to the needs of this district. If the honorable gentleman went to a division, he would vote with him. If he chose to leave it in the hands of the Minister, he might be doing a wiser thing, although he (Mr. Speight) did not think the Ministry had got much to give to the honorable member or anybody else for this particular kind of work. At the same time he had entered a protest against the scandalous neglect of country districts cast on their own resources and made to

trust to the tender mercies of persons called County Councillors, whose only care seemed to be to distribute a few shillings among themselves, and who, if they put the Act into operation, inflicted great injustice on the people outside the centres of population.

Mr. MURRAY said the argument of the honorable member for Hokitika was not a happy one. It must be apparent to any one of parliamentary experience that what was granted to one district must lead to a scramble for all. There was a larger principle at stake than consideration for the district represented by the honorable member for Mongonui—a principle embracing the whole question of taxation. The honorable member was aware that a large portion of the district he referred to was in the hands of aboriginal inhabitants of New Zealand, who were specially exempt from rates and all taxation. Was it to be supposed that people in the southern part of the colony were to tax themselves to help those who, by the laws of the country, or by a peculiar policy, were not taxed, or permitted to help themselves? It appeared to him to be inexpedient to bring forward the present motion when the honorable member must know that there was no money available for the purpose. He thought it would be a long time before they arrived at that happy elysium “when roads and bridges would not be mentioned in the House except in terms of congratulation.” This matter demanded careful thought. They were about to increase the burdens on land, and then they were asked thus to return the money they raised. If this sort of thing continued, the House would become, as was said by the honorable member for Port Chalmers, not a Legislature, but “a habitation of thieves.” The honorable member for Port Chalmers made a statesmanlike speech on that occasion; and he recommended honorable members to peruse it. Some honorable members came to the House with no other care but to obtain plunder for their constituents. They had received a lecture upon political morality from an honorable member of the House; but he thought that honorable member should go and study the first principles of political morality before he assumed to be a teacher of others. If they followed out some men's ideas of political morality, the House would be guided by such principles as this: “By golly, vill you go in for my little political svindle?”

Mr. TURNBULL thought that in this matter, as in many others of the same kind before the House, a full statement of the case had not been made. The honorable member who had just sat down was quite prepared to do justice to every part of the country; but it did not appear that any statement had been made as to how much this district had contributed to the general revenue from the sale of land, which was a very important feature. But there must be just grounds for coming to the House, because they must bear in mind that henceforth those people would be taxed very heavily to pay their portion of the colony's debt. He thought it was only just that that portion of the community which hitherto had not had any money spent upon it

Mr. Macandrew

should have a share of the public expenditure in opening up communication. If a division were called for he would go into the same lobby with the honorable member for Mongonui. In the form in which taxation was imposed, and considering that the people of this district contributed their share to the revenue, the honorable members for the district had a perfect right to ask for the expenditure of some money. He considered they had a just claim upon the Government.

Mr. READER WOOD did not think the time of the House had been wasted in discussing this amendment. Honorable members generally would now see that this district was entitled to consideration. Not only had none of the borrowed money, or very little indeed, been spent in that district, but it had not enjoyed any Land Fund, out of which roads or bridges, or means of communication, could be constructed; whilst, on the other hand, in the southern portion of the colony, and many other portions of the colony, the Road Boards and the County Councils had very large revenues from the Land Fund—revenues so large that he believed at the present time some Road Boards in the Provincial District of Canterbury had £30,000 or £40,000 to their credit at the bank. In the northern districts of the colony it was utterly impossible to find a few shillings to make a road or repair a bridge. Whatever might be the scheme of public works that the Ministry might bring down to this House, there was no doubt, in consequence of the financial position of the colony, it must necessarily be narrowed; yet it was their duty to take into consideration the position of this particular district, and, out of whatever funds they had, to give that district a reasonable share of those funds. That, he thought, was all the honorable gentleman who had brought forward the amendment asked for—it was all that any of them asked for, or any of them desired. There was no other part of the Provincial District of Auckland situated as that northern part was. In the southern parts great main roads had been made out of votes given by the Provincial Government, and in various other ways. Although assistance had not been given to any very large extent, still the southern districts of Auckland had these means supplied to them, and the County Councils and Road Boards had had reasonable funds at their disposal. But the northern part of Auckland was entirely isolated. People there had purchased land, and had tried to raise produce from their farms. If they raised anything, owing to the difficult nature of communication and the bad state of the roads during the greater part of the year, they were unable to bring their produce to market. Although he did not know the Hobson County, he knew a great deal of the Waitemata County, having recently contested it. He had to go from one end of it to the other in the middle of winter. If any other honorable members of the House had to do the same they would see how the settlers were obliged to live. They were completely isolated, and unable to do anything because they had no means of communication. They were unable to cross the rivers or creeks,

and unable to get their produce to market owing to the wretched state of the roads. If the motion of the honorable gentleman, and the debate which had taken place upon it, should be the means of inducing the Government to do something in favour of this district, he believed the time that had been spent that afternoon would have been occupied to a good purpose.

Sir G. GREY was surprised at the position taken up by the Minister for Public Works in regard to this amendment. He began by stating that the district alluded to had been scandalously neglected; yet, although that was the case, he then went on to add that the reasons given for redress were not proper or fitting reasons. The honorable gentleman did not give the House his view of what would be considered proper reasons. He (Sir G. Grey) thought there was throughout the House generally an agreement that this district had been greatly neglected, and that something should be done in regard to it. Those honorable gentlemen who raised objections to such a course could only have made their remarks in utter ignorance of the real position of the district. From the expressions used by the Minister for Public Works he gathered that it was possible that in the Public Works Statement they would find that something had been done in reference to this matter, and therefore he would advise his honorable friend to allow the motion to be withdrawn, with the assent of the House, until after the Public Works Statement had been brought down. If the Government did not then act justly to this district the subject could be considered, and strenuous efforts made to obtain justice for the district. He could not agree with the argument raised by some honorable members that, if a sum of money were voted for this district which had been scandalously neglected, then every other district would expect to have similar assistance accorded to it. That was a lame argument, and one which the House should not entertain. Districts which made similar claims must also have been scandalously neglected. The honorable member who had brought forward the amendment need not fear that such an argument would ultimately prevail. He earnestly recommended the honorable gentleman to withdraw his amendment, with the consent of the House.

Mr. LUNDON said that, after the appeal made to him by the honorable member for the Thames, he supposed his wisest course, under the circumstances, was to ask leave to withdraw his amendment until after the delivery of the Public Works Statement.

Amendment, by leave, withdrawn.

COASTING TRADE.

On the motion for going into Committee of Supply,

Mr. MOSS moved, That, in the opinion of this House, it is desirable that foreign vessels arriving in New Zealand ports should not be allowed to engage in the coasting trade, but should be confined to the discharge of original cargo at such port or ports as they may desire, and to the loading at such port or ports of cargo

for British or foreign ports: that "The Coasting Trade Regulation Act, 1871," be amended accordingly. This was a motion of very great importance, and he hoped it would meet with the support of the Government. He did not anticipate any opposition from the Government in the matter, and therefore he would not take up much time in bringing it forward. He would only say that, until 1871, the coasting trade of New Zealand was in the same position as the coasting trade of all other British possessions. No foreign ships were allowed to engage in the coasting trade. But at that time, in order to enable the American mail steamers to carry their cargo down the coast, an Act was passed called the Coasting Trade Regulation Act—an Act to admit foreign ships to the coasting trade. In that Act they were told that the Imperial Parliament recognized the principle that British ships only were to enjoy the coasting trade, except where special treaties with foreign Powers had been entered into.

Mr. W. J. HURST, in order to save time, might state that he had brought this matter before the Government, and had stated all the facts.

Mr. MOSS said it was to rectify the statement of the honorable member that he had brought this subject forward. He found that the statements made by the honorable gentleman were made under an entire misconception of the real facts of the case. From the answer given to the honorable gentleman's question by the Government he (Mr. Moss) was satisfied that the matter was not properly understood. The object was not to prevent foreign vessels, coming here with cargo, carrying their original cargo from port to port along the coast, and discharging it; nor was the object to prevent any foreign vessels from loading at any of the ports for other foreign or European ports. The object was, to prevent foreign vessels coming to our ports, and not only discharging their original cargo, but taking in a new coasting cargo. According to *Hansard*, the question asked by the honorable gentleman, the member for Auckland City West, was,—

"If the Government are prepared to advise His Excellency the Governor, in virtue of clauses 5 and 7 of 'The Coasting Trade Act, 1871,' to impose similar restrictions upon foreign shipping to those in existence prior to the passing of that Act?"

"Major ATKINSON, in reply, said he quite understood the position of the matter, but he did not altogether see what the honorable gentleman desired to arrive at. Did he wish the Government to say definitely that they were prepared to exclude foreign vessels from the coasting trade?"

"Mr. W. J. HURST.—I do not."

That was precisely what he (Mr. Moss) did want. He wanted to see foreign vessels excluded from the coasting trade. He thought the statistics quoted by the Premier on the occasion of the question being put to him, and which he obtained from the Customhouse, were the statistics of last year, and if honorable gentlemen referred back to previous years they would find that a larger number of foreign vessels were then engaged in the coasting trade; that it had become the practice for foreign vessels, after discharging their cargoes from Ameri-

can ports, to go round to the West Coast ports, take in timber, and carry that along the coast, to the prejudice of vessels to which the trade ought to be confined. The Americans themselves allowed no foreign vessels to enter their coasting trade, and they made their coast extend from New York to San Francisco. This was a matter of serious importance to a large number of shipowners throughout the colony, particularly the owners of small ships; and he hoped not only that the resolution would commend itself to the favourable consideration of the House, but that the Government would give their support to it.

Mr. W. J. HURST seconded the resolution, which he said he had not been aware would be brought forward until the honorable member rose to move it. It was quite clear that he had a perfectly distinct object in view in asking the question referred to. The honorable member had not informed him of the circumstances under which the Act now in force enabling foreign vessels to trade upon the coast came into operation. He (Mr. Hurst) distinctly stated to the House the circumstances that brought it into operation, and to show that he clearly understood what he was talking about. He also stated that the honorable member for Totara, at that time a member of the Government, said that clauses 5 and 6 of the Act would reserve the powers which were sought to be retained in the hands of the Government, so that at any time the Government could exercise those powers which were given in the Act, for the purpose of carrying out the object which the honorable member for Parnell now sought to attain, and that was the same object which he (Mr. Hurst) had in view when he directed the attention of the Government to the subject. The Act of 1871 was brought in during the period when the American mail steamers were running down the coast, and had anticipated by one year the Imperial Act, which was intended to destroy the Act which had been in existence before, and which would have expired by effluxion of time in 1872, had not the Act he referred to anticipated its discontinuance by one year in order to enable American vessels to trade on our coasts. It provided that all the colonies should themselves pass Acts for regulating their coastal trade, but that there should be no interference with Imperial treaties that might be in existence. He was perfectly familiar with all the circumstances, and evidently much more so than the honorable member who had proposed this resolution, and he had taken the trouble to read the whole of the debates which took place both in the House and in the Legislative Council when the Act of 1871 was under discussion. He thought he made the Treasurer understand that his object was to attain the very end which the honorable member for Parnell now sought to accomplish. He did not seek to do it in the perhaps more popular manner adopted by his honorable friend, and he had not in view any temporary *kudos* such as might be obtained by carrying a resolution of this kind. He sought to direct the attention of the Government to the power which they possessed under clauses 5 and 6 of the Act, whereby they could, by an Order in Council, achieve the object

Mr. Moss

aimed at in the honorable gentleman's resolution. His object was to confine the coasting trade to our own ships, and he remembered that at the time he directed attention to the fact that in America no European vessels could trade between one port and another; and the Treasurer asked him whether he was in a position to state what were the treaty obligations with America, to which he was obliged to reply, No. And the honorable member undertook to discover what those treaty obligations were, and stated that as soon as he was acquainted with them he would take such steps as were necessary to carry out the object he (Mr. Hurst) had in view.

Mr. SWANSON said that if there was to be any *kudos* obtained for this sort of thing it was very easily got, and the resolution of the honorable gentleman must be a source of immense amusement to those members of the Public Petitions Committee who had had this subject before them. That Committee had taken a great deal of evidence in relation to this matter, had interviewed officials and the Ministers for the time being, and had reported to the House in favour of shipowners over and over again, during both this and previous sessions. The whole subject had been gone into; and the honorable member for Parnell, if he had been attending to his duties, would have known that such was the case. He (Mr. Swanson) had himself had many interviews with officials in the Government Buildings, and he recollected that when he first brought the matter up Sir George Grey said he believed nothing could be done. He (Mr. Swanson) pointed out that he was in the House when the Act was passed enabling the American steamers to trade along the coast, and Sir George Grey said that the subject was entangled by treaties. However, the Government had positively acted on the report of the Public Petitions Committee by abolishing the light dues, one of the burdens on shipping. About the coasting trade, he believed the fact was, that there were two European nations which had made certain treaties with England of which it was impossible that they could shake themselves clear. The case of America was different: that, he was informed, could be dealt with. It was rather amusing that an honorable member should seek to obtain *kudos* for accomplishing an object which had been already attained after an immense deal of labour by people who sat quietly and made no noise about it.

Major ATKINSON thought that probably the honorable gentleman had attained his object in having brought the matter under the notice of the Government. There was no doubt the honorable member for Auckland City West thoroughly understood the object of the question he had put. He knew that, from private interviews he had had with the honorable gentleman on the subject. The Government, he thought, had done all that could be asked of them in promising to carefully consider the matter during the recess. They did not know with absolute certainty how the treaty obligations of England affected the question. His honorable friend the Premier had written to Sir Julius Vogel on the subject; and when the

Government were in possession of all the facts of the case, they would consider the question with a view of seeing how far effect could be given to the proposal. The question, however, was a very large one, and should not be dealt with in a hurry at the far-end of the session. He hoped that the honorable member, having gained his object, would withdraw the resolution.

Mr. GISBORNE said if the honorable member did not withdraw the resolution he would be obliged to oppose it, as it would commit the House to a course which was in opposition to the principle of the free-trade policy adopted by the Imperial Government several years ago. In 1871 the question was not whether foreign vessels should be allowed to trade on the New Zealand coast, but it was whether the colony should subsidize an American company for the conveyance of mails, and allow its steamers to trade on this coast—giving it a peculiar privilege. As to the question of whether foreign vessels should trade on the coast, he did not exactly know how the law stood, but it seemed to him that if the colony did not allow such vessels to enter the coasting trade it would act in direct opposition to the free-trade principles which had governed the Imperial policy for several years. He did not see why foreign vessels should not trade on the New Zealand coast just as much as other vessels, and he believed there were treaties in force now which allowed foreign vessels to trade on the coasts of the colonies; and the Legislature could not pass a law which would contravene any treaty of that sort, because such power was excepted from the powers of this Legislature. It would be much better if the honorable gentleman would withdraw the resolution and leave the Government to look into the matter. It was a very complicated question, an Imperial question, an international question, and one which required a great deal of consideration before they should be called upon to commit themselves to the direct statement as to future action contained in the honorable gentleman's resolution.

Mr. IRELAND hoped the honorable member would withdraw the amendment. The Public Petitions Committee had dealt with the question as far as it was possible for them to deal with it. Apart, however, from that, he held that the principle which the honorable member for Parnell advocated was an unfair one. It did not follow, because America adopted a system of excluding foreign vessels, that therefore this colony should do so. He believed that the more they encouraged coastal trade, no matter by what vessels, the more they would advance the trade of the colony generally; and if they departed from that principle they would be going in a wrong direction altogether. He would therefore strongly advise the honorable gentleman to withdraw the resolution.

Mr. MOSS asked if he was to understand that this matter was now before the Public Petitions Committee.

Mr. SWANSON said that Committee reported upon it some time ago, and the Government had acted upon their report by abolishing the light dues.

Mr. SHRIMSKI hoped the honorable member would withdraw the resolution. This was a serious matter, and by adopting the course proposed they would only be playing into the hands of a few shipowners in the colony.

Amendment negatived.

SUPPLY.

The House went into Committee of Supply.

CLASS IV.—POSTMASTER-GENERAL AND COMMISSIONER OF TELEGRAPHS.

Chief offices and sub-offices, £32,896.

Mr. HALL said the sum shown in the detailed estimates was £43,861, but the amount to be asked for was reduced to £32,896 because the Government were only taking supplies for nine months. He would restate, for the information of the Committee, the position the Government had taken up in the matter of these estimates. When they were last in Committee, the honorable member for Cheviot suggested that, if the House accepted the amendment of the honorable member for Waimea and reduced the first vote by £25, the Government should accept that as an indication of the wish of the House that all proposed increases on salaries over £200 a year should not take effect, except in one or two special cases. The Government accepted the suggestion, the amendment of the honorable member for Waimea was carried, and that was the position in which the case now stood. The period of the session at which the Government came into office rendered it impossible that they could revise the estimates and remodel them; but they had been considered, and there were many increases proposed which the Government did not think should be given effect to. They had accepted the amendment of the honorable member for Waimea, and no increases would be made in salaries above £200, except as above stated. In the case of salaries under £200, the Government would go fully into the facts of each case, and decide whether the increase should be made or not.

Mr. TURNBULL wished to know whether, if carried, the Government would give effect to the resolution of the honorable member for Christchurch City (Mr. Andrews), that all salaries above £200 should be reduced 5 per cent.

Mr. HALL said that, if carried, the Government would be bound by the resolution.

Mr. ORMOND asked whether the increases in salaries had been paid from the beginning of the present year as they appeared on the estimates.

Mr. HALL said they had not been paid in this department, but in some they had been. Some of the increases had been paid in the Justice and Native Departments.

Mr. ORMOND said that, as the honorable gentleman was giving information generally upon the estimates, he would like to know whether the increases in the new departments, such as the Stores Department in the Public Works, which the House had never given any assent to, had been paid since the commencement of the financial year.

Mr. HALL was not able to give much information with regard to the details of the departments

Mr. Swanson

not under his charge. He could not say anything as to the Stores Department; but with regard to the Railway Telegraph Department, which was a new branch, he believed the salaries appearing on the estimates had been paid.

Mr. GISBORNE asked what was the law with regard to audit and control. He heard with considerable surprise from the honorable gentleman that the practice for some years back had been to allow a Minister, on his own responsibility, to increase the salaries of public officers while the House was in session, and notwithstanding that they had not passed this increase. That seemed to him to argue a radical defect in the audit and control. What right had the Controller or Auditor to pass an item of expenditure on the authority of a Minister, before Parliament had appropriated that sum? He would not say that it was an insult to Parliament, but it was a direct defiance of it.

Mr. RICHARDSON said that up to the end of 1876, whenever an increase of salary was proposed on the estimates, that increase was not paid until after the Appropriation Act was passed.

Major ATKINSON understood the position to be this: that at the end of every financial year the estimates for that year expired. The expenditure after that period and until the next Appropriation Bill was passed was either what was known as unauthorized expenditure or what was authorized under Imprest Supply Bills. The rule was, for Ministers to authorize salaries at the rates which they intended to propose to Parliament, and, upon their informing the Auditors of those rates, the Auditors authorized the payments. There was no provision in law on the subject, but that had been the custom. He found that no such authority had been given since the last Appropriation Act expired, and payments had been made at the previous rates, except in the case of officers who were promoted to higher stations, which, of course, did not come under the term "increases of salaries."

Vote, Chief offices and sub-offices, £32,896, agreed to.

Conveyance of mails by sea, £51,383.

Mr. READER WOOD called attention to what was really a bogus item in these estimates—namely, "Fiji Service, £2,500." That amount had been on the estimates for a long time, but was not sufficient for the service. It was believed that, if the amount were doubled, a very good service could be obtained between Auckland, New Caledonia, and Fiji. There was a large trade between these places; but it was at present carried on by small schooners, and there was no accommodation for passengers. If a decent steamer were put on the line, it was believed that a great deal of trade, which at present went to Sydney, would be brought to Auckland. He would ask the Premier whether he would not take this £2,500 for six months, and come down next year with a vote for £5,000 for the service.

Mr. BOWEN would call attention to the item, "Wellington, Kaikoura, and Lyttelton Service, £360." When this amount was first put on the estimates there was no communication with Kai-

koura; but at present there were rival companies running there, and the effect of this bonus was rather to deter competition and render the service exceedingly erratic.

Mr. PITT would ask the Government to take into consideration whether it was necessary that the colony should retain both the Suez and the San Francisco services. There was also the vote of £24,000 for the West Coast, Middle Island, service. He thought a considerable saving could be made on all these amounts without interfering with the reasonable requirements of the colony in the matter of mail services. The last was really a luxury that was not required, as the service could be performed for a much less amount by boats belonging to that part of the colony which he represented. He had heard the opinion expressed by merchants and others that both the Suez and San Francisco services were not absolutely required, and in his opinion it would be much better if, instead of reducing the salaries of Civil servants and thereby putting them to great inconvenience, the House could do away with some of these large items.

Mr. SHEPARD moved, That the item be reduced by £1,000. That would leave £2,000 to the end of the year for the West Coast, Middle Island, mail service. The objection to this subsidy was, that it was subsidizing a particular company against others which were quite willing to carry on the service at their own risk. The service paid for by the colony was not carried out nearly as well as that which was carried out by the private company which ran steamers along that part of the coast. When the vote was first passed, it was only intended that the subsidy should last for a short time, in order to encourage the opening-up of a service along that part of the coast; but it was still retained, although there was no longer a necessity for it; and he thought it was quite time it was done away with.

Mr. GISBORNE said the honorable member for Waimea had fallen into one or two mistakes. He seemed to think that the service ended at Hokitika, whereas it went to Jackson's Bay, Martin's Bay, and the Sounds. He believed tenders were always called for the service. He hoped the Government would not terminate the service at Hokitika. There were places south of Hokitika which required the service in order to send away their produce and to get supplies. He did not think they wanted this service now to include the East Coast; it should simply be for the West Coast. He hoped the Government would not abolish the service altogether, as it was very necessary for the progress of settlement on the Coast.

Mr. RICHARDSON understood that the principal reason why this vote was kept on for the last year or two was, that there was an absolute necessity for keeping up communication with the Martin's Bay Settlement and the Sounds. The position was now very much altered. They had erected two new lighthouses down south, which were periodically visited by one of the Government steamers. Sooner than pay this large sum for the service round the West Coast, they should arrange for this Government steamer to keep up

the communication with one or two small settlements down south.

Mr. McLEAN wished to put the honorable member for Waimea right. He did not speak for the purpose of supporting or rejecting the vote, because he was interested to some extent. This service was started by the Provincial Government of Otago, and was carried on by them for a time. It was established for the purpose of keeping up communication with the Martin's Bay settlement, and other settlements along that coast. There was no profit on the subsidy the year before last: on the contrary, there was a considerable loss. Last year there was a slight profit. He could not state how it stood this year. The Government advertised twice for tenders, and nobody but the Union Company tendered for it. The coast was a long one, involving a great deal of steaming, and he was sorry to say the trade was very small, and was not increasing on the West Coast. He did not think it would be advisable to stop the service, although it was of little consequence to whom the sum might go. Communication must be kept up on that coast. He always heard the company state that they never cared to make much profit out of the service, and he always objected to their being credited with receiving a large sum of public money when it did the company no good.

Mr. REID hoped the item would not be interfered with. The steamer was of the greatest service on the West Coast, particularly to isolated districts like Jackson's Bay, Martin's Bay, and various beaches on which twenty to thirty miners, and in one case two hundred miners, were at work. They had no other means of communication, and it would be a great misfortune to interfere with this service.

Mr. MACANDREW quite agreed with the proposed reduction. He had had communication with the owners of the "Maori," and they were disposed to make the reduction. He thought a communication had been received from them since these estimates were made up, in which they agreed to a slight reduction. He did not know any other vessel but the "Maori" which was suitable for the service. The service might be carried on for £3,000.

Mr. STEVENS, with reference to the remarks of the honorable member for Nelson City (Mr. Pitt), was under the impression that the Suez mail route was practically a source of no expense to the colony. Letters conveyed by the Suez route were conveyed, not on the ordinary system of subsidy, but at so much per pound. He therefore wished to ask now if there was any loss upon that system. It was quite clear that, if the colony received as much postage for the letters as was charged for their conveyance by the Suez route, it would be a heavy loss to the colony if it were deprived of the opportunity of sending letters to Europe *via* Suez.

Mr. ACTON ADAMS supported the amendment of the honorable member for Waimea. He hoped that the service in its present shape would be done away with. It was unnecessary that the steamer should make the complete circuit of the Middle Island. All the West Coast ports, as far

south as Hokitika, were served from Nelson. There were some small settlements south of Hokitika, and all that was required was to extend the service from Hokitika to those small ports. As had been suggested by the honorable member for Totara, those small ports might be served by one of the Government steamers. He thought that, if the Government would adopt the suggestion of either arranging for the extension of the service from Hokitika to the small settlements alluded to, or arrange for the Government boats to call at those settlements at regular intervals of a month, nearly the whole of this vote would be saved.

Mr. FINN would be in favour of reducing this vote by £2,000. He thought the money would be better spent in opening up road communication between Martin's Bay and Lake Wakatipu, where there were three hundred thousand acres of agricultural land which might be opened for settlement. Some years ago a sum for this purpose had been promised by the Government, but it had never been paid. If this sum were reduced to £2,000, and communication opened between Hokitika and the small settlements referred to, that would answer all purposes. He had received letters from settlers at Martin's Bay asking him to urge upon the Government to carry out the promises that had previously been made. A number of gentlemen in Australia had lately formed themselves into a company to come to New Zealand. Their intention was to call at Martin's Bay, and then travel overland to Lake Wakatipu, but they would meet with disappointment when they found that the journey was impossible. There was no track between these two places, and this retarded the opening up of the district for settlement; but, if it were opened up as was promised, he had no doubt the Land Fund of the colony would be increased very materially.

Mr. J. B. FISHER would be sorry to see this service reduced, as it was a very useful one; but it might be made a great deal more useful without any extra cost. The Government had the power of naming the ports at which the steamers should call, and they might add West Wanganui and Karamea to those already on the list. There was a large population at Karamea, and the people were left without any sufficient service at all. If this service were continued, the Government should arrange for the steamers calling there every month, as it promised to be the richest agricultural and pastoral district on the West Coast.

Mr. MACANDREW said it was strictly laid down in the contract that the vessels should call there if required.

Mr. REEVES said it should be a condition in the contract that the boat should call at Karamea, where there was a larger number of inhabitants than in Jackson's Bay and Martin's Bay together. It would be better for the Government to spend the money in constructing a road from Lake Wakatipu to Martin's Bay. The Government should consider the advisability of allowing the Government steamers to call at the small settle-

ments on the West Coast every two months, and also of opening up the interior by roads.

Mr. SHEPARD thought the public would be very much better served than at present if the contract did not require the steamers to make the whole circuit of the Middle Island. Communication might be made more frequent, and more places might be touched at, which were now entirely neglected.

Mr. HALL said that, in the case of scattered communities in outlying districts, which would not, in their infancy, be within the reach of trading vessels, it was the duty of the Government to give some assistance. The time had now arrived when the whole question would have to be reconsidered. If the service were done away with, Martin's Bay and other settlements would be altogether deserted. It was the duty of the Government to see that these communities were not deserted, but that communication should be kept up in some way. At present, he thought it might be sufficient to ask for a service from Hokitika to the various settlements mentioned, and probably that service could be obtained at a cheaper rate than was now being paid. A considerable part of the vote now asked for had been spent, and some time must elapse before any new arrangement could come into force. The House would therefore be running an unreasonable risk if it accepted so large a reduction as that proposed by the honorable member for Waimea. The Government would be willing to agree to some reduction. He would ask the honorable gentleman to accept the assurance of the Government that the whole question would be looked into, with the view of improving the present arrangement.

Mr. SHEPARD would be satisfied if the item were reduced by £250 instead of by £1,000, after the assurance given by the Premier that the whole matter would be dealt with by the Government. He would move, That the item be reduced by £250.

Mr. KELLY said that, when this vote was first brought down in 1875, it was in consequence of a proposal made to subsidize a service on the east coast of the North Island. The Government should get the service done at the lowest possible rate, and should reduce as much as possible all services of a dubious character.

Mr. HALL said that a tender had been accepted, within the last ten days, for a service from Westport to Karamea.

Amendment, That the item be reduced by £250, agreed to.

Mr. J. B. FISHER drew attention to the item, "Wellington, Kaikoura, and Lyttelton Service, £360." Overland communication existed between Lyttelton and Kaikoura, and he did not think there was any necessity for this subsidy. These mail subsidies should only be given for the benefit of small places, in order to connect them with the large centres; and not for the benefit of the latter, to connect them with the small places.

Mr. SAUNDERS said that, although Kaikoura contained a large number of industrious farmers and settlers, it had received no benefit from the railways or any of the public works. It had

Mr. Acton Adams

contributed largely to those objects, and would pay more, under the general property tax, than the whole of the West Coast put together. He admitted that in its present form the subsidy was not desirable. He did not wish to retain it in that form, but he hoped the amount would be capitalized, and devoted to so improving the harbour as to render this bonus unnecessary. The district would be better served by an expenditure of that kind made at once, than by the continuance of these bonuses. But, until some such arrangement as that was made, he trusted the House would leave the matter to the Government, to whom he had already intimated that in its present form the subsidy was not useful, and that the district ought to receive it in some other shape.

Mr. SHRIMSKI said that, as they were going in for retrenchment, they might dispense with this expenditure. If there was sufficient trade there, steamers would be induced to go to Kaikoura without any subsidy.

Mr. J. B. FISHER thought the remarks of the honorable member for Cheviot were rather in favour of striking out the item. He would be very happy to support the honorable gentleman if he would bring down a proposal for the improvement of the harbour; but, in the meantime, he thought the Committee might strike out this £300, especially as it appeared that by doing so they would not injure Kaikoura.

Mr. HALL said the Committee should bear in mind that, owing to the time of the year, and the fact that only nine months' estimates were being taken, more than half the vote was already spent, and also that, even if the Committee determined upon an alteration, a considerable time must elapse before it could take effect. Although, in the early stages of steam navigation, and during the infancy of the coast settlements, it might be desirable to subsidize steamers, yet gradually the time arrived when population and trade became sufficient to insure regular communication. He believed it was a question whether in the case of Kaikoura that time had not arrived. He did not think it would be wise to determine that question now. He would make full inquiry during the recess, and, if it should be found that this subsidy could fairly be discontinued, it would not appear again on the estimates.

Mr. SHRIMSKI remarked that, if what the honorable member for Cheviot said about the population of Kaikoura and its large contribution to the revenue was true, it went to show there was no longer any necessity for this subsidy.

Mr. TURNBULL thought it would be much better to make an alteration now than to leave the matter in the hands of the Government.

Mr. J. B. FISHER suggested that the item should be reduced to £230, which was the amount spent last year.

Mr. HALL would repeat that the sum put down was only for nine months, half of which period had already expired.

Mr. BOWEN thought that, under the circumstances, it would be better not to reduce the amount, but to accept the promise of the Government to look into the matter.

Mr. McLEAN was of opinion that the money granted for this service might be applied in a manner which would be much more satisfactory to the district concerned than was the existing arrangement. He did not think, however, that the item should be cut off from the present estimates.

Mr. TURNBULL said that next session they would be in exactly the same position as they were in now, unless the Government would accept it as the feeling of the House that this service should be dispensed with.

Mr. HALL thought that the Government were entitled to a certain amount of confidence from the House in these matters, and that the Committee should be satisfied with the information he had already given.

Mr. GEORGE moved, That the item, "Wellington and Patea Service (six months), £150," be reduced by £50. There was an overland mail twice a week to Patea, and, if £50 were struck off, the sum would be just the same as that expended last year.

Mr. RICHARDSON said it would save time if it were borne in mind that all these contracts extended over the year, and that engagements had been entered into which covered nearly the whole of these votes.

Mr. GEORGE said this subsidy had one month more to run, and it would be sufficient if the Government would give an assurance that at the end of that time it would lapse.

Mr. HALL said the service would end on the 31st December, and the sum specified in this vote was necessary to pay the subsidy up to that date. With regard to the item, "Fiji Service," the honorable member for Waitemata had pointed out that the sum of £2,500, which was placed on the estimates, would not be sufficient to maintain steam communication with Fiji for the year, and he suggested that the amount should be taken as a subsidy for six months, which would virtually be authorizing the Government to enter into a contract at the rate of £5,000 a year. The Government would be very glad indeed to feel themselves justified in expending that sum for the purpose of encouraging trade with Fiji, but the financial position in which they found themselves at present was such that, after full consideration, they did not feel justified in expending such a sum on what would be an experiment. Two years ago, circumstances were favourable to the establishment of this service, and he was given to understand it could then have been established for £2,500. But in the meantime a large trade had sprung up between Fiji and Melbourne, and it was very doubtful whether £2,500 would now suffice to keep a steamer. Under all the circumstances, he would not object to the item being struck out.

Mr. SPEIGHT was sorry to hear the honorable gentleman make that statement. His own argument went against the adoption of such a course. If, as the honorable gentleman said, the trade between Fiji and Melbourne was being more rapidly developed, that was all the more reason why New Zealand should retain what she could of it. The Auckland members, who were perhaps

in the best position to judge of the value of the trade, would be willing that the amount be increased to £5,000 if necessary.

Mr. W. J. HURST hoped the Premier would give an assurance that next year, if the circumstances of the colony were more favourable, a sum would be placed on the estimates to assist in the development of the trade, not only with Fiji, but with New Caledonia also.

Mr. ANDREWS differed from the honorable gentlemen. He hoped they would hear no more of these South Sea Bubbles. It was the duty of the House to economize, and here was a sum of £2,500 which might at once be cut off.

Mr. GISBORNE thought it a pity to retain on the estimates items that would not be spent. He moved, That the item be struck out.

Mr. HALL had no objection to give the assurance asked for by the honorable member for Auckland City West. If there was any possibility of establishing a steam service between Fiji and New Zealand, the Government would next year make no objection to a bonus being offered for the purpose; but at the present time it could not be done.

Mr. READER WOOD said the honorable gentleman had not done what he hoped he would have been able to do. There were two alternatives in the matter—either to say that £5,000 should be given for the establishment of a service with Fiji and New Caledonia, and that this £2,500 should be part of that sum, or to strike out the amount altogether. It was no use swelling the estimates with items that were not to be expended. If a service of the kind could be established it would increase the trade of the colony and swell the Customs receipts. If the honorable gentleman said they could not afford any more of these subsidies, there was an end of it.

Mr. HALL said he had merely assured the honorable member for Auckland City West that the Government would put a sum on the estimates next year if they saw their way to do so; but he certainly did not see his way to put on £5,000 now.

Mr. SHRIMSKI hoped the Government would not enter into any contract without consulting the House.

Mr. KELLY said the item had been on the estimates for four years. At first it was £2,000, then it was £2,500, and now it was proposed to make it £5,000. Having regard to the circumstances of the colony it ought to be struck out.

Item, "Fiji service, £2,500," struck out.

Mr. HALL, in answer to the question of the honorable member for Nelson City (Mr. Pitt) as to whether it was desirable to keep up the San Francisco Service and the Suez Service, said the Government were of opinion that it was. The San Francisco Service was set down in the estimates as costing £32,000; but when the receipts from postages and other colonies were deducted the net cost was only £12,000. In his opinion, the advantages of this communication with America more than counterbalanced the cost. Then, as to the Suez Service. Practically, the position of the matter was this: They paid through the colony who maintained the service at

Mr. Speight

the rate of 1s. 7d. per ounce for letters brought by the Suez steamer to Melbourne. That represented the total postage of sixpence per single letter; but they did not receive the whole of that, because the Imperial Post Office kept what it called its inland rate. The whole net cost of the Suez Service to New Zealand was about £2,300; but in addition to that we had to pay £5,000 for the intercolonial service between Melbourne and the Bluff, making altogether £7,000. He did not think the colony would be satisfied to be cut off from the Suez Service. As to the bonuses, under the contract with the Pacific Mail Steamship Company they had to pay a bonus upon the arrival of the steamers within contract time. The Company used very efficient steamers, and, as a rule, they arrived in less than contract time. Consequently, bonuses had to be paid.

Mr. GISBORNE said that only £600 out of the £2,000 voted last year had to be paid, and, as it was no use crowding the estimates with sums that would not have to be paid, he should move, That the item be reduced by £1,500.

Mr. HALL said that, in consequence of a modification of the service, the whole sum might be required.

Mr. MONTGOMERY wished to know why £9,000 was put down for the Suez Service, when last year only £4,577 had been expended.

Mr. HALL explained that Victoria had not sent in accounts for the last two quarters of the past year. The full amount was therefore required.

Mr. GISBORNE would like to know whether the amount for the Suez Service could not be reduced by making an arrangement that the English letters should be brought by the same steamers that perform the intercolonial service, for which a subsidy of £5,000 was paid. He would move, That the amount be reduced by £2,000.

Mr. PITT pointed out that the effect of not subsidizing the steamers that brought the Suez mails would be, that the Company would take care that its steamers left Melbourne just before the Suez mail arrived, and would compel the Government to renew the subsidy by putting the public to great inconvenience.

Mr. SHRIMSKI thought that the Government steamers might be used for bringing over the Suez mails, instead of lying idle in harbour.

Mr. REEVES said that, as steamers leaving Melbourne were compelled to carry mails, the subsidy for the intercolonial service might be struck out altogether. As for the Company starting their steamers just before the Suez mail arrived, they were not likely to do that, as they would lose the passengers.

Mr. BOWEN would point out that the Company would not do so out of revenge, but they would not put themselves out of the way to make their steamers start immediately on the arrival of the Suez mail, which was what this colony wanted. As for the suggestion of the honorable member for Waitaki (Mr. Shrimski), it would, if carried out, involve the colony in much greater expense than paying the subsidy.

Mr. HALL hoped the Committee would con-

sider very seriously what it was about to do, before it struck off this subsidy. There was no doubt, if the Company did not receive a subsidy to wait for the arrival of the Suez mail, they would make their steamers start when it suited their own commercial convenience, and the mails might be left at Melbourne for a week or more. When it was considered that the desire for a quick delivery of the mails was so great on the part of the public that pressure had been put on the late Government to run special trains to convey them, instead of waiting for the ordinary trains, he would ask honorable members to reflect how the people would receive a proposition that would have the effect of delaying the English mails in Melbourne for a week at a time. It was an error to suppose that it cost the colony as much as £5,000 a year for the conveyance of these mails by sea, because a large proportion of that amount was returned in the shape of postage. If this item were struck out, the country would have to pay a penny a letter for all letters conveyed by these steamers, and that would amount to very nearly as much as the present charge, while the communication would not be regular.

Mr. GISBORNE, on reflecting that, by adopting his suggestion, letters from the colony might miss the Suez steamer at Melbourne, would ask leave to withdraw his amendment.

Mr. Gisborne's amendment, by leave, withdrawn.

Mr. McLEAN wished it to be understood that he was not taking any interest in this proposed reduction of the subsidy for conveying the Suez mail. As Chairman of the Union Company, he would guarantee that, subsidy or no subsidy, the Company would do nothing that would injure New Zealand. He had taken very great interest in the Company, not from any desire to benefit himself, and he was proud to say that they had achieved a success that ought to be very gratifying to the people of New Zealand. The Company had enemies enough in other colonies, where they had succeeded in establishing a trade, and it did not become any member of that House to sneer at them. The payment of a subsidy was really no extra advantage to the Company, because the steamers had frequently to be kept at places, to the great inconvenience of passengers, and at considerable expense, in order to keep the contract time and wait for mails. He might point out that the contract was made with the previous owners of the steamers, that it had another year to run, and that the colony must pay for it.

Mr. W. J. HURST asked the Premier to explain why so large a sum as £1,750 was put down for mail agents and travelling expenses, when last year only £706 was expended.

Mr. HALL explained that last year mail agents were not permanent officers, and the duty was performed by officers of the department in turn, who received their ordinary salaries. Now, however, regular mail agents were appointed, and the full amount in the estimates would be required.

Mr. W. J. HURST thought it was rather an advantage that postmasters should do the work, as officers who happened not to be in good health

could be sent for the trip, and at less cost than was proposed now.

Mr. HALL said there was no doubt that it was for some reasons an advantage to employ postmasters and other officers occasionally as mail agents; but there was also a disadvantage. The work was done under pressure; there was a large amount to be done in a limited time; and they must have officers who were trained for the work. There were now three permanent agents and three assistants. There were two officers on each boat.

Mr. LONDON said, with reference to the item, "Auckland steam services," that the late Government promised to place £1,000 on the estimates for a subsidy to a vessel to ply between Onehunga and Hokianga. He would ask if that service was included in this item.

Mr. GEORGE hoped the Premier had also included an item with regard to which he had waited upon him. He referred to a steam service for the Great Barrier Island. There were a number of people living there, and they were entitled to a certain amount of public money.

Mr. HALL was sorry he could not give the honorable gentleman any satisfaction. The Government did not see their way to subsidize steam services to every island on the coast. If they did so, he was afraid the estimates would be swelled to a very large amount. With regard to Hokianga, his answer must be the same. One thousand pounds was a large sum to pay for such a service. They were never told that the late Government made the promise referred to, and, even if they had been, he did not think that they would feel justified in asking the House to vote £1,000 for that service.

Vote, Conveyance of mails by sea, as reduced, £48,633, agreed to.

Conveyance of inland mails, £24,563, agreed to.

Carriage of mails by railways, £6,120.

Mr. HALL explained that the reason of the item was, that the Railway Department had complained that it was not fair that they did not receive some allowance for services performed for the Post Office. It was part of their work, and should be represented in their earnings. It was done in all the other colonies, and he thought it was only fair to the Railway Department that this allowance should be made. It would not cost anything, and was only taking the money out of one pocket and putting it into another.

Mr. J. B. FISHIER thought it was unfair to the public creditor that the revenue of the railway should be made to appear £6,000 more than it really was.

Mr. J. T. FISHER said that, if the Railway Department was credited in this way, the Telegraph Department should also be credited in the same way. The Telegraph Department did work for all other departments, and they showed the amount of business done in their accounts. He did not see why the Railway Department could not have credit in the same way.

Mr. BOWEN knew there was a feeling in all the departments that they should get credit for work done for other departments. But it meant an increase of book-keeping, and it also meant

more clerks. Throughout the whole of the Government service there was a great deal of unnecessary correspondence and book-keeping; and if they had to credit what was done by one department for another department they would have more expense. He had always been averse to this constant demand by departments to be credited for what they did for other departments.

Mr. REEVES said it could not make any difference, as the department had to keep a certain number of books. It was only fair that the railway Department should be credited with the whole of the work it did.

Mr. KELLY moved, That the item be struck out.

Mr. OLIVER hoped the item would not be struck out, seeing that the contract which was formerly entered into for carrying the mails was greater than the charge made by the Railway Department, and the mails were carried more regularly and speedily. Each department should show its proper earnings, and charge for them.

Mr. RICHARDSON would not like to see the item struck out. The fact of charging the work done by one department for another had a very wholesome effect upon the service, and he should be very sorry to see any attempt made to alter this system.

Mr. J. T. FISHER said if the Railway Department was to have a sum of money voted for it he did not see why the same thing should not apply to the Telegraph Department, as it did a great deal of work for the other departments.

Major ATKINSON said this arrangement had produced a saving to the Post Office, as it had hitherto to pay a large amount for the conveyance of the mails. If this item were struck out, it would appear that the Post Office was doing the same work at a less rate, which would not be fair to that department.

Colonel TRIMBLE suggested that a statement could easily be prepared, showing what each department might fairly claim from any other department. It would be very much better not to begin this new system.

Mr. MACANDREW could not see any possible objection to passing this item. The railway expenditure had increased in connection with the carriage of these mails, especially for special trains. It was important that the real earnings of the railways should appear to their credit. If the item were doubled the country would be a gainer, as they had been paying a much larger sum to the postal contractors.

Question put, "That a sum of £6,120 be granted for carriage of mails by railway;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	44
Noes	...	...	...	...	18
Majority for	...	...	...	...	26

AYES.

Mr. Allwright,	Mr. Ormond,
Mr. Andrews,	Mr. Pitt,
Major Atkinson,	Mr. Reeves,
Mr. Bain,	Mr. Richmond,

Mr. Bowen

Mr. Beetham,
Captain Colbeck,
Mr. Dick,
Mr. Driver,
Mr. Finn,
Mr. Gibbs,
Mr. Hall,
Mr. Hamlin,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Hursthouse,
Mr. Ireland,
Mr. Levin,
Mr. Masters,
Mr. McCaughan,
Mr. Montgomery,
Mr. Moss,
Mr. Murray,
Mr. Oliver,

Mr. Richardson,
Mr. Rolleston,
Mr. Saunders,
Mr. Shephard,
Mr. Stevens,
Mr. Studholme,
Mr. Swanson,
Mr. Tainui,
Mr. Tawhai,
Mr. Tomoana,
Mr. Turnbull,
Mr. Wakefield,
Mr. Whitaker,
Major Willis,
Mr. Reader Wood.

Tellers.

Mr. Macandrew,
Mr. Sutton.

NOES.

Mr. Barron,
Mr. Bowen,
Mr. De Lantour,
Mr. J. B. Fisher,
Mr. J. T. Fisher,
Mr. Gisborne,
Mr. Hialop,
Mr. Johnston,
Captain Kenny,
Mr. Lundon,

Mr. Reid,
Mr. Seddon,
Mr. Shrimski,
Mr. Speight,
Mr. Thomson,
Colonel Trimble.

Tellers.

Mr. George,
Mr. Kelly.

The amendment was consequently negatived, and the vote agreed to.

Telegraph Department, £83,001.

Mr. HALL would like to make a few general remarks on this item, as there was a considerable increase, which required explanation. The actual work done by the department had increased very largely of late years. During 1877, the total number of telegrams transmitted was 1,134,000; during 1878, 1,260,000; and during the year ending the 30th of June, 1879, 1,448,000. Since the latter date, owing to the prevailing commercial depression, the work done by the department had fallen off. The revenue received during the last quarter had diminished, and his honorable friend the Treasurer, taking a prudent view of probabilities, had estimated a decrease in the income during the current year. But, unfortunately, that did not mean any considerable decrease in the work, because the public of this colony were not satisfied with having only such stations as really paid their own expenses. It was a somewhat remarkable fact that, of the stations which had been opened throughout the colony, only a third paid their expenses. Practically speaking, the large stations paid the expenses of the small ones. He did not mean to say that a new station should not be opened under any circumstances if it would not pay its expenses. The telegraph was a civilizing agent which, he thought, they could well afford to pay for; but they had been rather too extravagant in this direction. When he had the honor of being Telegraph Commissioner, about eleven years ago, he refused, as a general rule, to establish any station which was not likely to pay its expenses, unless the public in the im-

mediate neighbourhood guaranteed to make up, to a reasonable extent, any deficiency in the revenue. The gentlemen who had held office since had thought it right to depart from that rule, and the result had been that by far the greater number of the stations did not pay their working expenses. This item, as he had stated, showed a considerable increase, owing to a variety of causes. Firstly, during the current year fifteen new stations were opened for the accommodation of the public, at a cost of £2,000. The number of offices open in June, 1877, was 155; in June, 1878, 182; in June, 1879, 195; and since then the number had reached 210. That accounted to a great extent for the increase in the estimates. There had also been an additional hundred miles of line constructed, which involved the employment of another lineman. There was a considerable increase also under the head of "Cadets." These youngsters entered the department at a very trifling salary, but with an understanding or contract that they should receive during the first two years of their service such small increases as would enable them to live, and, at the best, what was paid them did very little more than that. There was a considerable increase in the expenditure owing to what was called the "special-wire arrangement." Under that arrangement a large number of offices had to be kept open for much longer hours than was the case before. Instead of closing at ten o'clock, they were kept open until one o'clock in the morning. There were thirty-five of these offices, and the additional expenditure involved was about £3,500.

Mr. MACANDREW.—What is paid for the special wire?

Mr. HALL.—Four thousand pounds.

Mr. GEORGE.—Then there is a profit?

Mr. HALL.—No. That was the expenditure at the several stations, but, of course, there were other expenses besides. However, he would not go into the expediency of the special-wire arrangement at the present time, but was merely pointing out that this was one reason for the increase in the estimates. There was also an increase in consequence of doing away with the system of overtime, which had grown to a very undesirable extent, and which the late Government desired to put an end to. In order to do that, they proposed to increase the hours during which the officers might be called upon to remain on duty, and to make some addition to their salaries. They also proposed to increase the staff to some extent, in order to meet the extension of the hours. There was hardly any increase of more than £20, and, with few exceptions, the salaries which it was proposed to increase were under £200. As he had already stated, with that exception, the Government would undertake that no increase on salaries over £200 should take effect. There was an increase in the item for contingencies, the vote for which was last year found to be insufficient. The sum last year voted for stationery also was found to be only half of what was required.

Mr. SHRIMSKI said there was a petition before the House, signed by the officers of the

Telegraph Department, praying that their position should be taken into consideration, and he would ask the honorable gentleman to consent to postpone the telegraph estimates until the petition had been considered by the Committee to which it had been referred.

Mr. REEVES pointed out that there was no provision made for telegraph communication between Farewell Spit and Motueka.

Mr. HALL said that was not an expenditure which would appear in these estimates. It was a matter of construction, and, if undertaken, would be placed on the public works estimates.

Mr. ANDREWS pointed out that the salaries of the telegraphists and postmasters were not fairly divided between the two departments, more than two-thirds of the total amount of the salaries being charged to the Telegraph Department. He was not prepared to say that the officials of this department were overpaid: in fact, it was a question whether they were paid as well as the officials of the other departments of the Civil Service. But, on the other hand, there was a want of system throughout the whole thing, and a want of satisfaction among the officers of the department. There seemed to be no fixed rule as to regulating the salaries. For instance, in Nelson the head telegraphist, who had six operators and six messengers under him, received the same salary as the chief telegraphist at Blenheim, who had thirty-three operators under his charge, and the same salary as the chief telegraphist at Auckland, where there was also a very large staff. The whole matter required looking into. In the case of the counter clerks, some of them received £180 and £190, while others received £90. It created a great deal of dissatisfaction in the department that some officers should receive half the pay received by others, while they did as much work. The salaries ought to be regulated upon some scale.

Mr. ORMOND would like the Premier to give some explanation relative to the new branches of the department which appeared under the head of "Stores and Telegraph, Public Works." He had some knowledge of the requirements of that branch of the Service, and he was strongly of opinion that the creation of this branch was unwise and undesirable. It was established without the authority of the House, and the sooner it was abolished the better.

Mr. HALL said this department was established upon the recommendation of the Commissioner of Railways for the Middle Island, who thought it desirable for the efficient working of the railway telegraph, which was previously not sufficiently under his own control. He therefore recommended that the railway telegraph should be separated from the Telegraph Department. The change did not effect any saving under the head "Telegraph Department." The same general manager and the same superintending officials were maintained in that department, the only difference being, that the new department was entirely under the control of the railway authorities. The present Government had not gone into the question. It was a matter which they held themselves at liberty to consider at a future time.

Mr. MACANDREW thought all the reports and correspondence relative to the change should be laid on the table. He regarded it as one of the best things that could be done towards the security of life and property: in fact, it was absolutely necessary for the safe working of the railways, and for the extension of the block system, without which there was great risk on single lines of rails. The correspondence would afford abundant evidence of that fact. He knew of one instance where life had been saved through the railway authorities being able to send without a moment's delay to a place which might have been the scene of a serious accident. The same system was in existence in all old-established countries, and he hoped to see it adopted in the North Island as well as in the South Island.

Mr. RICHARDSON said it seemed to him that they were launching into a very large expenditure. After the explanation of the honorable member for Port Chalmers, he would not say that the system was entirely unnecessary; but he did not see why arrangements could not have been made between the offices, under which one department should do the whole of the work. He had heard outside that one accident happened because a telegraphist refused to give precedence to a railway telegram, and, if that were true, the officer should have been punished. He really thought the new system would be too expensive.

Mr. GEORGE assumed that it was the desire of the Committee to reduce the cost of the department, and, in order to test the feeling, he would move, That the total vote be reduced by 5 per cent., or £4,150 1s.

Mr. LUNDON thought that, in the interests of the whole colony, a lighthouse should be erected at Cape Maria van Diemen. As to the proposal of the honorable member for Rodney, he hoped it would not be agreed to, as the vote was already too small. It was a wonder to him that the young men in the department stayed for such small salaries as were paid at present. People passed by stations near them, and sent their messages from stations further off, because they did not think there was real secrecy.

Mr. REEVES could not support the amendment of the honorable member for Rodney. Instead of reducing the vote for this department by 5 per cent., he would like to see it increased by 10 per cent. These were the worst-paid and hardest-worked officials in the Service. He would change those in country districts every year, because it was not right to expose poorly-paid officials to the temptations they were subjected to by a long residence in one place. He knew, as a fact, that the secrecy of the department had been violated, owing to the officers being poorly paid and kept too long in one place.

Mr. MACANDREW would point out the folly of an individual member attempting to cut down departmental estimates. The Government alone could do that. Referring to the item for stationery, he would suggest that it would be well to improve the quality of the paper used, as it cost very little more, and possibly also the forms might be printed in the colony instead of in England.

Mr. Hall

Mr. TURNBULL could not support the amendment; but would point to the enormous cost of the construction of buildings, and would suggest that districts which pressed for the extension of the telegraph should be called upon to pay for the expense unless the line was self-supporting. As for the secrecy of the department being violated, he could only say it was wonderful that, where such a number of operators were employed, so little leaked out. He was sorry to hear such charges made.

Mr. DICK was sorry to hear the Premier say he did not intend to increase the salaries of any of the officials in this department which were over £200, because, from another statement of the honorable gentleman, those officials must be severe sufferers under the new arrangement. Some of the best operators in the department were in the cities, and, under the system of payment for overtime, they used to be able to add £40 or £50 a year to their small salaries by working late at night. Under the new arrangement their salaries would be reduced by that amount. The whole of the telegraph arrangements seemed to be a mistake. The best operators were kept in the cities on small salaries, while the poorer hands were sent into the country districts, and, in addition to fair salaries, were paid extra in many instances as Postmasters, Registrars of Births and Deaths, and so on. This was absolutely offering a premium to a man to be a bad telegraphist, so that he might get away into the country, and have less work to do and more pay. It was generally admitted that the telegraphists were the worst-paid officers in the Service, and had most work and most irregular hours; and now the honorable member for Rodney, by his amendment, was trying to make matters worse. He (Mr. Dick) trusted the Government would resist any attempt at reduction, and would see their way to give some compensation to those who were suddenly deprived of the extra pay they got for working overtime.

Mr. GISBORNE hoped the amendment of the honorable member for Rodney would not be agreed to, as this was one of the worst-paid but most efficient departments in the whole Service. The excess of the receipts over the expenditure for the year had been £15,000; but, even if there had been a loss, it must be remembered that the telegraph, like the penny postal system, was a great public benefactor, and was not to be judged of by the mere money returns it made.

Mr. J. T. FISHER trusted the honorable member for Rodney would not press his amendment, and he was sure the honorable gentleman would not do so if he gave the matter further consideration. With regard to the guarantee system, he believed it was the honorable gentleman in charge of the estimates who knocked it on the head. Guarantees used to be taken for many stations, but he was sorry to say they had not been of much account, because, when the money became due, pressure was brought to bear upon the Government to give it up, and it had to be given up. The telegraph system must not be looked upon as one that was to pay. The receipts had certainly exceeded the expenditure, but it must be remem-

bered that the first thing to be considered was the accommodation afforded to the public.

Mr. GEORGE hoped his amendment would be agreed to. He found that there were increases in all the head offices—in Wellington, £480; Invercargill, £300; Dunedin, £700; Oamaru, £600; Timaru, £450; Christchurch, £1,050; Napier, £1,100; and so on.

Mr. SPEIGHT would like to know what the honorable gentleman could expect but that there should be increases. The greater the increases the more service would the department render to the colony. He hoped the suggestion of the honorable member for Dunedin City (Mr. Dick) would be taken into consideration by the Government, and that the grievances the telegraph operators laboured under would be attended to.

Mr. STEVENS would be glad if the Premier would inform the Committee what advantage in a pecuniary way the department was likely to gain by the abolition of the overtime system, because the information he possessed led him to agree with the view taken by the honorable member for Dunedin City (Mr. Dick), that the incomes of these hard-worked officials would be very much reduced, and that they would have to perform extra work on Sundays, for which they would receive nothing whatever. It appeared to him that this was not a very convenient way of economizing. Unless the advantages to the department were very considerable, he did not think the change should be made.

Mr. REEVES hoped the Government would see their way to abolish Sunday work in the department.

Mr. MOSS would be sorry to see the salaries in this department reduced. In the Auckland office there was an immense amount of work done, but he found that the telegraphists there were paid less than in other large offices: for instance, there was a great contrast between the amounts paid at Napier and Auckland. The officers in Auckland worked very hard, and succeeded in giving great satisfaction.

Mr. SEDDON believed that a great saving could be effected by an amalgamation of offices, so that telegraphists could take charge of post offices as well. The Telegraph Department on the West Coast compared very favourably with any other part of the colony, and he had never heard anything breathed to the detriment of the operators there. He believed this department was the worst-paid in the Service, and he trusted the Committee would not entertain the amendment.

Mr. HALL said the honorable member for Dunedin City (Mr. Dick) apprehended that hardship would be inflicted on some officers whose salaries were over £200 a year through the abolition of overtime, because the Government had agreed that increases to salaries over £200 a year should not be paid. There were only two such officers who would be affected by that abolition. The others were officers whose position did not allow of their working overtime. If the Committee thought the case of those two officers should receive special consideration, the Government would be glad to give it. He understood that

the reason which induced the late Government to agree to the change with regard to overtime was, that there was rather a tendency to abuse the system. If the officers remained on duty until the work was cleared off, it was not cleared off with as much rapidity as it might be. It was also found that the long hours were injurious to the health of young officers: in many instances, injury was done to the eyesight of officers of the department. When the new system was fully carried out, the hours expected from operators would be seven, and in no case more than eight. He did not think that was an unfair amount of work. He quite agreed that the salaries paid to these officers were very unsatisfactory. Leaving out the head-quarters staff, the average of the salaries of the officers in the Telegraph Department was £120 a year. That was less than the wages of a good mechanic. Considering that they had to keep themselves respectable, and be honest, he felt sure that the Committee would not sympathize with the proposition made by the honorable member for Rodney. There was a change proposed in the head-quarters staff. Honorable members would recollect that last year the staff consisted of the General Manager, an Electrician, and Chief Clerk. The General Manager found that the whole of the work of the department—both out-door and administrative work—was more than he could possibly cope with. The late Government therefore made an arrangement by which the services of the Electrician were dispensed with, and by which the services of the General Manager—who, he might say, was one of the best officers in the Service—could now be devoted almost entirely to the out-door work and the electrical branch of the department. The Chief Clerk had been appointed Assistant Secretary, and had control of the administration. The Assistant Secretary would receive £450 a year, which was less than the salaries of Under Secretaries in other departments. The offices of Electrician and Chief Clerk were dispensed with. An honorable gentleman suggested that the officers should be changed frequently. He thought the honorable gentleman was under misapprehension as to the frequency with which changes were made. At any rate, it would be his endeavour, if he remained in charge of the department, to make those changes more frequently. He thought the honorable gentleman was quite right in principle; and that the officers of the department should not become too familiar with the family circumstances of the people in their neighbourhood. The honorable member for Christchurch City (Mr. Andrews) drew attention to differences in salaries which he could not account for, and which did not correspond with the importance of the positions to which they were attached. The honorable member for Parnell had done the same. The explanation in most of those cases was that an officer was paid not according to the particular place in which he happened to be, but according to his qualifications and his length of service. With regard to salaries over £200, he had a return showing what the increases in salaries over that figure would amount to in the aggregate. Leaving out the Assistant Secretary, the amount would be,

practically, £220. If the Committee thought it right to allow that sum of £220 to be paid, he would personally be very glad. He felt himself bound by his pledge not to pay it without the sanction of the Committee; but still he would be glad to see this addition made to the salaries of these very-much-underpaid officers.

Mr. MURRAY pointed out that it would be a very great convenience to the public if a telegraph station were opened at Lovell's Flat.

Mr. HALL said that the Government would bear the suggestion in mind.

Mr. George's amendment negatived, and vote, "Telegraph Department, £83,001," agreed to.

Subsidy for Australian cable, £5,513.

Mr. HALL explained that the House, by passing this vote, would not be bound to an approval of the arrangement entered into by the late Government. Before the close of the session he would draw the attention of the House to the matter. In the meantime, the Government would be bound to pay the subsidy for a portion of the year. He hoped the item would be passed on the understanding that some arrangement would be come to before the close of the session.

Mr. SAUNDERS pointed out the importance of having carrier-pigeons in connection with the department. It was important, especially in the North Island, where, in case of a Native war, one of the greatest difficulties would be the severance of telegraphic communication. That communication could be kept up by means of trained pigeons. They should have dove-houses in connection with the principal telegraph establishments. The department could make a more extensive use of the wires by letting out pigeons to parts of the country where there were no wires, to bring in messages at any time. The experiment might be tried on a small scale, commencing with having a dove-house at Wellington. There were in the colony a number of trained birds obtained from Belgium, which could fly a distance of five hundred miles, and it was important that that valuable breed should be preserved. It was a very important consideration in a country like this to have a number of these valuable birds capable of sustaining a long flight. It could not be done all at once, but, if one house were started now, it would breed pure Belgians to stock future houses all over the colony. If there were a dove-house at Wellington and one at Blenheim, in case of anything happening to the cable the communication could be kept up by pigeons. The other day, when only one cable was doing the work, the communication could have been kept up by pigeon-telegraph. At the late elections they had evidence of what trained pigeons could do. He thought this means of communication could be made to pay, while, at the same time, it would make the Telegraph Department more efficient and much more secure.

Mr. REID agreed with the honorable member that a little money spent in the direction indicated would be advantageous, but, if the suggestion were acted on, he hoped the pigeon adventurers of the department would be more successful than they had been on the West Coast. The great difficulty there experienced was to get the pigeons to enter the dove-cotes. In the outlying

Mr. Hall

districts, such as Jackson's Bay and Okarito, where there was no regular communication, a little money spent in this way would be a great advantage to the inhabitants.

Mr. GEORGE said the system of pigeon-telegraphy had been successfully carried on for a number of years in connection with the *Auckland Evening Star*. During the elections it was carried out with very good effect. The numbers of votes polled at a number of polling-booths in the outlying districts were received in Auckland at five o'clock in the afternoon, and made known to the public.

Vote, Subsidy for Australian cable, £5,513, agreed to.

CLASS VII.—MINISTER OF EDUCATION.

Education Department, £183,199.

Mr. TURNBULL thought the honorable gentleman in charge of this department would be adopting a wise and proper course by making a statement showing the justice of asking so large a vote under existing circumstances. The country was now in very great straits, and honorable members should not be asked to vote away the public money in this reckless manner. He had expected that some reasonable reduction would have been made in this vote. He observed that it had been increased, and he should like to hear some explanation of the reason why they should be called upon to vote this large amount. He had already shown to the House that, under the voluntary system adopted in England, the cost of education was only 8s. 4d. per head. The Government were not now, as last year, called upon to spend large sums in the erection of school buildings, and they should be able to carry on the education system at a great reduction. It was known that a certain religious body in the colony was prepared to give an equally good education to children, if they received aid from the State to the extent of £2 per child. While it was the duty of the State to see that every child was educated, there were in various parts of the colony a large number of children who were not compelled to attend the public schools, and who were growing up without any education. These schools were being availed of by persons who were well able to pay for the education of their children, whilst children who should be forced into these schools were running about the streets. There ought to be some attempt made to compel the large proportion of persons who were well able to do so to pay for the education of their children, and the expenditure might be eased to the extent of £50,000. In his opinion, there was a determination by a considerable party to use the funds of the State to crush out religious teaching; but this could not be done. The Roman Catholics would be glad to take a subsidy equal to half the amount per head now incurred by the State, and give their children even a better education—at all events, come up to the State requirements—and yet, for the selfish motive of crushing out that religion, they said they would rather pay this enormous charge. In the present condition of the finances it was most unjust for the Minister to come down and ask the House to vote £242,000

for a system of education which was objected to by a large section of the population of the colony, and a system against which, he was certain, the people would rise some day or other.

Mr. SHRIMSKI regretted that on this question he should have to differ from an honorable member with whom he had been so closely allied in politics. He (Mr. Shrimski) was opposed to a denominational system of education, and he hoped the day was far distant when the country would go in for such a system. He would sooner see the people taxed for the maintenance of a secular system for the whole colony. He could not understand why two particular districts of the colony should be picked out for subsidies for high-school and college purposes. There was an item of £1,200 on the estimates for a girls' and boys' high school at Auckland, and another sum of £1,500 for the Wellington College. He had the honor of getting a Bill passed for a high school for the Waitaki District, but there were no funds to commence the buildings with. Finding that the Minister of Education thought proper to place Auckland and Wellington on the estimates for £1,200 and £1,500 respectively, he thought it only just that something should be placed on the estimates for the high school for the district he had the honor to represent. Accordingly he had drawn the Minister's attention to the matter; but, perceiving now that it had not been attended to, he begged to move, That the items, "Auckland Boys' and Girls' High School, £1,200," and "Wellington College, £1,500," be struck out.

Mr. ROLLESTON said it was not through any want of courtesy to the Committee that he had not risen before to make a statement with regard to the estimates of this department. He had intended to take an early opportunity of offering a few observations on the subject. He might say, to begin with, that he did not think any apology was needed for having brought down these estimates in the present form, because they were in accordance with the law, and with a law which, he felt certain, would not readily be changed in this colony. Since the introduction of the present educational system under the Act of 1877 there had been a steady increase in the numbers attending the State schools, and nothing could be more satisfactory, to his mind, than the progress which had been made. In 1877 the average attendance was 41,777; in 1878, 50,633; and in 1879 it had increased to 56,000. There had been a very considerable discussion as to whether it was advisable or not to make the whole system free, and he had no doubt the country acted wisely in deciding that it should be free. In Otago and Southland the average attendance during the last quarter of 1877 was 11,988, and during the last quarter of 1878 it was 15,997; thus showing that those parts of the colony had very largely availed themselves of this free system of education. Taking into account the whole colony, the attendance rose from 41,777, in 1877, to 50,633 in 1878. The honorable member for Timaru spoke of the cost per head of education in this country. The honorable gentleman's figures were not strictly accurate. He stated that the cost of education in

England was 8s. 4d. per head, but he entirely left out the local contributions. The fact was, that a year and a half ago the cost per head for the education of children under the London School Board amounted to £2 12s. In Queensland the cost per head about two years ago was £3 15s. 4d.; in Victoria it was £3 11s. 6d.; while in Massachusetts, which was generally admitted to be the first place in the world for social institutions, the cost was something over £4 per head. In New Zealand he believed it was about £4 8s.—at any rate, it was over £4 per head—and it would be less when the numbers were greater in proportion to the staff and to the number of schools in existence. He was quite aware that the amount asked for was very heavy, but there was no doubt that the country had quite determined that its children should be educated. That education would cost this sum, and it was only a question as to the way in which it should be raised and administered. The whole system of education had, he thought, worked far more successfully than its most ardent supporters could possibly have anticipated. The sum had been raised through the Consolidated Fund in the cheapest way, and it had been administered, on the whole, in the most economical and efficient manner possible. With regard to the remarks of the honorable member for Waitaki (Mr. Shrimski), the reason why the Government had not thought fit to bring down further proposals with regard to high schools this year was, that there were only a certain number of schools at the present time in active work. There was, at the present time, a Commission sitting for the purpose of advising the Government as to the best means of establishing these schools on the most economical footing, and the Government had not thought it well to anticipate the action of the Commission except in those cases where their making no provision would really cause a loss to the country. There was in Auckland an efficient girls' high school, which, up to the present time, had been chiefly supported by funds that properly belonged to primary education, and the Government thought it better to propose this item, because they did not consider that the institution should continue to be supported by funds supplied by the Education Board. The school was in a most satisfactory condition, and it would be a great pity to allow it to drop. With regard to Wellington College the same remarks applied. The Board of Governors of the Wellington College had recently taken steps to reorganize the school, and it was of great importance that it should not be allowed to drift to leeward. Sooner or later the country would have to make provision for these schools. Provision had been made for high schools in Otago and Canterbury, and also in Auckland, as far as boys were concerned; and the State would no doubt have to deal liberally with this subject throughout the country. They could not make fish of one and flesh of another. It would not do to have secondary education rolling in wealth in one part of the country, and starving in another. There was no intention on the part of the Government to leave the other

tions of the country without higher education. They were only awaiting the report of the Commission to make proposals to the House which would apply to the whole country. In the meantime, they had brought down special votes to prevent institutions that were already in active operation from falling into debt and becoming inefficient. There was another vote to which he would like to draw the attention of the Committee, and that was the vote for the deaf-and-dumb institution. As the Committee were aware, this was a matter in which he took a great interest. He was satisfied that the time had arrived when a colonial institution must be set on foot for this purpose. The House had had before it papers showing the action taken by the late Government, the result of which had been to procure from England a thoroughly-qualified teacher of deaf-mutes. That gentleman was now on his way out. The Government had placed on the estimates, first of all, a sum of £1,000, part of which would be necessary to defray the expenses of this gentleman and to pay his salary, and part of which would be devoted to such other incidental purposes as might prove to be necessary when he arrived. The Committee might wish to be informed what the view of the Government was as to the establishment of this institution. Obviously, bringing-out a gentleman of high qualifications and at a high salary meant that the country was in earnest about this matter, and intended to establish an institution which would be a credit to itself and would efficiently discharge this important duty with reference to an unfortunate class of colonists. The view the Government held was this: that it would not do to leave this institution to the benevolence and voluntary efforts of any section of the population—that it was an institution which should belong to the colony as a whole, and that it should be under the Minister of Education, who should be responsible to the House for its management. People who might have children or other relatives in the institution would not be satisfied to have an irresponsible, or a semi-responsible, Board of a voluntary character having control over it. The Government therefore considered that an institution would have to be founded, that the House would have to provide for a master, and for the necessary schools to be attached to it for the purposes of teaching, and that a further vote would have to be asked from the House for the construction of the necessary buildings. The Government thought it would not be wise to commence the buildings until after the arrival of the gentleman who was coming out as teacher, and who was a professional expert, so that they might have the benefit of his advice on the subject. He was on the way to New Zealand, and was bringing out various appliances intended to be used in the institution; and immediately after his arrival the Government would propose to take steps to make his services available. They proposed, further than that, to erect buildings, in some convenient place easily accessible by rail and by sea to the whole colony, and to establish a colonial institution for deaf-and-dumb at as early a date as possible. He thought

Mr. Rolleston

the remarks he had made explained all that was special in the vote. The Education Department had been raised to a state of efficiency which reflected credit upon the officers of the Service, and in the report which had been laid before Parliament there was an amount of useful information such as was very creditable to those who compiled it, and showed a grasp of the whole subject. He would be happy to give any information he could, but he was satisfied that members already possessed in the report as good information as could possibly be given.

Mr. GISBORNE agreed that this was not the proper time to go into the whole question of education; but he wished to record his view of two ways in which they could relieve the people from the great burden which was imposed upon them by this education system, and he would do so without raising any denominational question. If the present system went on it would be too much for the people to bear at last, as the population increased. He thought one fault was, that they were affording too high an education at the public cost. Standards V. and VI. were really quite beyond the means of the colony to furnish to the colonial youth at the public cost; and, without infringing the principle of free education, he maintained that one great relief to the burden of the country in this respect would be to say that they would gratuitously teach Standard III. or Standard IV.; but that, if parents wanted their children to be taught Standards V. and VI., they must pay substantial fees. In that way rich parents would contribute to the cost of education. He saw no unfairness in that. The State, while it was bound to furnish what they might call elementary education to its people, was not compelled to supply a very high-class education; and the education it was now furnishing, putting aside classics and modern languages, was as much as was obtained by the children of the richest parents in European countries at their own expense. That was one way in which relief could be furnished with respect to the cost of education. Another way was to utilize the reserves. He believed that a great many of these reserves were quite useless, and, as long as there was no power of sale, they would remain useless for many years. They should be placed in the same position as the Legislature placed the endowments of the Canterbury College, and should be allowed to be sold by Waste Lands Boards under the Waste Lands Regulations, the proceeds to be devoted to permanent investments—either to the purchase of other lands, mortgages, or colonial securities. He believed that if the present system continued for many years longer an economical Parliament would one day sacrifice the whole system. They would say, "We shall not have education at all, except for destitute persons. No free education shall be otherwise granted, and parents must pay fees if they want education supplied to their children." He did not now wish to go to that extreme, but they ought to face this question, and he believed that, when the people considered it, they would consider the mode indicated was equitable and prudent.

Mr. JOHNSTON said, if the present system

of education was burdensome to those who reaped the benefit of it, how much more burdensome must it be to those who were debarred from receiving any advantage whatever from it! One-seventh of the people of the colony received no benefit from this expenditure of £243,000. They had to contribute a large sum to a system from which they derived no benefit whatever, and, in addition to that, they had to erect school-buildings and otherwise provide for the education of their own children. He knew this was not the time to endeavour to alter the educational system in force in the colony; but this was felt to be a very oppressive grievance by a large portion of the population of the colony, who were determined to bring the whole of their electioneering force to bear upon this question, and sooner or later use it to some effect in that House. He would be glad to hear the Minister of Education say he would take this matter into consideration, and endeavour to find some way to put the whole population of the colony on an equal footing.

Mr. SHRIMSKI said that, after the statement of the Minister of Education, he would withdraw his proposal to reduce the vote by the sum of £2,500.

Mr. REEVES quite agreed with the honorable member for Manawatu. There was no doubt that a large portion of the community suffered very great injustice, in consequence of being compelled to contribute to the maintenance of State schools. These people had come to that House and said they were prepared to provide for their own schools, and all they wished for was a contribution from the Government in the shape of payment by results. As a matter of justice, fair-play, and common honesty they should receive that justice at the hands of the Government, who he trusted would give the matter their serious consideration during the recess, with a view of giving relief to that portion of the community.

Mr. STEVENS said that under the Act of 1877 provision was made for compulsory education, and he thought it was the duty of the department to see that the compulsory clauses were carried out, or generally to ascertain in what way the intention of the Legislature in that respect could be best given effect to. He might mention that he had not long since, in his capacity of Chairman of one of the largest School Committees in the colony, to apply to the Education Board of the Canterbury District for the means to carry that section of the Act into effect, and the answer was that there were no funds for such a purpose. He thought the House should next session be definitely informed of the exact position of this matter, because, if the compulsory clauses were to remain dormant, the sooner that was understood the better. For his part, he would strongly object to those sections of the Act being removed, because he had always supported the compulsory principle. To allow it to remain a dead-letter was very far from the intention of the Legislature in 1877.

Mr. SHEPHARD concurred in the opinions of the honorable member for Timaru, the honorable member for Manawatu, and other honorable members as to the great injustice done to

a large portion of the community; but, at the same time he dissented from the statement of the honorable member for Timaru that the Nelson system, as embodied in the Bill introduced by Mr. Curtis, was satisfactory to the class to which he referred. It could not be doubted that the time was fast coming when it would be necessary to consider whether the whole of the education of the country should remain in the hands of the State, or whether private schools should not be aided in proportion to the work they did. It was not a question of denominationalism: it was a question whether there should be freedom in educational matters, and whether encouragement should not be given to those who succeeded in bringing children up to a specified standard of education. They should be paid for what they did, no matter how they did it. Such a system would be an incentive to improvement in every possible way; but, so long as the whole education of the country was in the hands of a department, there was a chance of sluggishness and disinclination to accept the reforms which were to be found in other countries. They all knew that, as a rule, teaching bodies resented any change in their system; but, if the way were opened to competition by assisting those who were willing to establish educational institutions of their own, it would be much better than having one centralized department. He knew, from personal observation, that the outside schools of Nelson did admirable work, and stimulated other schools to improvement. Those schools reacted upon each other, and as a consequence they produced far better results than if one uniform system had existed. This was a question that would have to occupy their attention before long. He did not say that the country was ripe for making such a complete change as would open the way to payment by results, but such a change must come sooner or later. As to the present estimates, he did not think they were at all excessive. His own experience as a member of an Education Board taught him that it required the greatest economy to make these sums last through the year. They had had a great deal of kindly feeling expressed on behalf of underpaid post office and telegraph officials; but to his mind it was still more unfair to offer salaries of £150 a year and less to persons who were expected to bring children up to such a standard of education as had been referred to by the honorable member for Tōtara. They ought to see whether it would not be possible to adopt some means of paying them better: at all events, he trusted that something would be done to remove the heartburnings and discontent which the present educational system created, and that efforts would be made to place it on a sounder and more satisfactory basis than it occupied at present.

Mr. BOWEN said that the honorable member for Waimea, and all those who believed in payment by the State of independent schools according to results, which was, in reality, the denominational system, forgot that that system had been tried, and that, after years of fighting for crotchets at the expense of the children, the country had determined to take the matter

into its own hands and establish a national system of education. It was quite certain that no mere question of local prejudice or individual crutchet, no denominational jealousies, however conscientious, would upset this, as long as people were satisfied that it was the duty of the State to see that no child grew up absolutely ignorant. The State could not give money to individual denominations, to spend it as they thought fit; and therefore the State must adopt a system which obliged it to take the management into its own hands. A great deal might be said as to the value of independent schools, and, for his part, he thought it was well that there should be very many of these throughout the country, and he would do all he could to encourage them; but the State could not interfere with them. It was all very well to be able to point to successful schools here and there, and to say, "You are encouraging a large number of very excellent schools;" but that would not secure that all the children of the country should go to school, and that was what was wanted. He sympathized very much with what the honorable member for Christchurch City (Mr. Stevens) had said. Although there was a provision for compulsory education under certain circumstances, there were really no means of putting that provision into force; and he hoped the Government would take the subject into its consideration, and bring down some measure next session which would enable the compulsory clauses to be given effect to where the Committees were willing to act upon them. These Committees felt themselves very much hampered, particularly in large towns, from want of means to enforce the law, and it was in the large towns that the compulsory provision was most needed. It was not advisable to discuss this large question at so late an hour, for he felt certain that, whatever might be said by individual members, the House would not listen to any proposal to curtail the estimates; and any amendment in the system must be discussed when the proposal to make such amendment was brought down.

Mr. GISBORNE would not go into the denominational question, or he might answer the arguments of the honorable gentleman on the justice of practically depriving one-seventh of the population of the means of educating their children, and yet compelling them to contribute to the education of the children of the rest of the community. He merely rose to explain that, when he said parents should pay fees for the education of their children in the two higher standards, he did not wish to exclude from the advantage of education in those standards the children of parents who could not afford to pay the fees. The State might make provision by way of scholarships and exhibitions, by which poor people could take advantage of those standards.

Mr. JOHNSTON might say that, if the State desired to provide a school system under which every child should receive education, it should not provide a system that meant of necessity the exclusion of one-seventh of the children of the country from its advantage. He would again

ask the Minister of Education to provide a remedy for that.

Mr. SPEIGHT said a very palpable mistake was made by the denominationalists in the House when they said that one-seventh of the population were taxed for a system of education of which they could not take advantage. All he could say was, that a great many of that seventh did take advantage of it; and the more they did so the more they approved of it. That was susceptible of the fullest proof when the fitting time came.

Mr. ROLLESTON said the honorable member for Manawatu and the honorable member for Christchurch City (Mr. Stewart) had asked his opinion on two practical matters. No man holding a position of responsibility in regard to education could feel otherwise than that the subject was surrounded with great difficulties. So great had they been found in the past that a number of men at Home held that the State should never take up this question, because, as they contended, the State could not deal with it. If that, however, were capable of argument at one time, it was idle now to talk of it, because the public were determined to have a system of national education, and would have it. He was sure the honorable member for Manawatu did not expect him to go at length on that occasion into the question he had raised; but what the honorable gentleman had a right to expect was an answer to his question as to whether he (Mr. Rolleston) could hold out any anticipation that the Government would bring down any measure dealing with the question of education in the interest of denominationalism. It was only right to say that he could hold out no hope of their doing so. He himself believed, thoroughly, that the State, having undertaken education, must deal with it as a national department, and could not look at the interests of any individual sect whatever; and that a system which must be unsectarian must also necessarily be free. And another corollary to the fact of the State undertaking the education of the people at all was, that the State was bound to see that every child was educated—education must, to some extent, be compulsory. He thought the honorable gentleman rather overstated the case when he said that one-seventh of the population were placed under great disabilities through the national system of education. He had taken the trouble of collating some figures with regard to the part of the colony with which he was best acquainted, and had found that, in round numbers, 10,000 children were in attendance at the schools there. Of these, 6,000 were receiving education in schools where the honorable gentleman himself would not for a moment say that the denominational system could obtain with any justice to the principle of religious liberty. That left 4,000 in the towns, and, of that 4,000, one-seventh was something over 500. That was to say, the honorable gentleman would ask the Government to bring down special legislation to meet the wants of 500 children out of 10,000. He did not wish to go further into the case then, although he did not presume to say that he had argued the question out. He had

Mr. Bowen

given the honorable gentleman the answer he had a right to expect to his question; and it was, that his view was, distinctly, that no national system of education could deal with the circumstances of religious sects as the basis of education. With regard to the question of the honorable member for Christchurch City, he felt that that honorable gentleman did not expect him to give a definite answer. He had not had an opportunity of studying the question; but he believed that in the present state of the educational system it had not arisen very prominently: but where it had arisen it was shown to be surrounded with great difficulties. He believed that in one or two instances application had been made by School Committees to Education Boards to provide funds to prosecute these cases in the Resident Magistrates' Courts, and funds had not been forthcoming. His own view was a hopeful one—that, while there should be on the Statute Book clauses of this kind, which should make people feel that it was the duty of those in authority in educational matters to make the system general, still, practically, little necessity would arise for putting those clauses in force. However that might be, he believed this was one of those questions which were solved by experience; and he admitted at once that it required more experience than he had yet had to give a definite answer to the honorable gentleman's question. It must, however, have the most serious consideration of any one in charge of the department.

Mr. TURNBULL was glad that his remarks had elicited this discussion, because this was the only opportunity honorable members would have of bringing forward their views on the subject of education. He was pleased to find, from what the honorable member for Christchurch City had said, that he was not singular in his opinion. He did not know how the Minister of Education, and those who thought with him, could reconcile it with a sense of duty that for two years they should have allowed a state of things to exist which had caused the bringing-up of a criminal population. He had himself seen, when attending Magistrates' Courts, three or four boys at one time brought up who had been allowed to run wild about the country, while those who were worth their hundreds and thousands were sending their children to these national schools. These neglected children had been kept out because those upon whom the trust had been imposed had not realized the responsibility which rested upon them of compelling these children to attend the schools. It was a great disgrace to any persons who had interested themselves in education that they should have squandered the funds given to them by a liberal Government in educating the children of the wealthy classes, while they suffered criminals to grow up amongst them. He was very much surprised to hear that there were no funds to prosecute those cases. The Minister of Education said rightly that he (Mr. Turnbull) was wrong in saying that the cost of education under the voluntary school system was only 8s. 4d. per head. He was wrong to the extent of 6½d., as he should have stated that the cost was

8s. 10½d. So long as the State found money directly for the people, it would be spent wastefully. If the money were raised by rates directly from the people, the work would be done for one-half the money, and the country would be relieved from an immense burden. The people were led away by this cry for free education. It cost them a great deal more than if they educated their children themselves. He would move, That the item be reduced by £56,000. The great injustice of the present system was, that a large number of people could not send their children to school beyond a certain age. On the other hand, people who could well afford to educate their own children sent them to the public schools until they were sixteen or seventeen years of age; so that the poor people really paid for the education of the children of rich parents. These poor people contributed ten times more to the consolidated revenue, considering their means, than the rich. For these reasons he would move that the item be reduced at the rate of £1 per head—namely, £56,000.

Mr. SEDDON was sorry to have to differ from the honorable member for Timaru. He was satisfied that if the honorable member had seen the practical working of the scheme he advocated he would have come to a different conclusion. In Westland they had had what was known as the Nelson system. They had a special rate for the support of that system. In the District of Stafford and Waimea two schools were kept going, the public school and the Roman Catholic school. When the present system was introduced the Catholic school gave way, and the children were sent to the public school. When classified with the other scholars, they were found to be two standards behind. In that district, notwithstanding everything said to the contrary, the parents would not in any case send their children to the denominational school again. In that district they had practical proof of the working of the system of having two schools in competition with each other. The larger school naturally had a great advantage, because it possessed a more efficient staff than the smaller school. As to the statement that the present system had the effect of rearing up criminals, he would point out that their evil propensities must have been inculcated before this general system was brought into existence, because it was only three years old. It had been said that under the present system poor people paid most of the expense, and that the children of rich people reaped the greatest advantage. Now, he would point out that the proposed property-tax would fall heaviest upon rich people, and part of the proceeds would be devoted to education, so that rich people would bear part of the cost of education, and the poor none. The present system of education was working well; and what right had they to interfere with it? He was surprised that the amount of money asked for by the Government under this vote was not larger. More buildings were wanted, and the teachers were not overpaid. If they did not pay the teachers well they would never have a satisfactory system. He believed that a great many of those who were in favour of reintroducing the

denominational system spoke feelingly and conscientiously; but the present system was fixed, and was working very satisfactorily. Moreover, sufficient time had not elapsed to give the system a fair trial, so as to enable them to say whether or not they should condemn it. He hoped they would pass the estimates as brought down by the Government.

Mr. J. B. FISHER did not agree with the honorable gentleman who had just sat down when he said that the present educational system had worked very smoothly and satisfactorily. He did not think that could be said when there existed so much irritation in the minds of large sections of the community in regard to it. He was very much in favour of such a modification of the present system as would remove the discontent at present existing in consequence of the compulsory system of secular education. The system of education which had existed in the Province of Nelson was very well adapted to the circumstances of all classes of the community. Everybody was perfectly satisfied with it, and no person's feelings were ruffled or hurt in any way by the manner in which the system was carried out. He was in favour of such a modification of the existing system as would remove the irritation that did exist in the minds of a large section of the public; and whenever a proposition affirming the principle of denominational education, or, if that were unattainable, payment by results, was before the House, it would receive his hearty support.

Mr. DE LAUTOUR would remind the Committee that an ample opportunity would be given for discussing this question next day, when the motion of the honorable member for Dunedin City (Mr. Dick) was brought forward for consideration.

Mr. HISLOP hoped the Government, during the recess, would take into consideration the desirability of doubling the present amount put down for public libraries, as these institutions were a very important means of educating the people.

Mr. ROLLESTON said there would be a special vote for that purpose.

Mr. GIBBS said the Minister of Education had told them that the children of the country must be educated. He (Mr. Gibbs) must say that in country districts, and particularly in scattered populations, that was almost impossible. They could not provide school accommodation so that schools could be established sufficiently near to enable every child living in scattered country districts to attend them. In his district there was a school established under the old Provincial Government school system to which some concession had been made by the Nelson School Board. A small amount was paid towards the partial support of a master. A similar course might be advantageously adopted in regard to schools in other localities similarly situated. He had been very much in favour of the system which had been in vogue in the Nelson Province, and had on more than one occasion voted for the Bill brought in by Mr. Curtis. Although a large section of his constituency had strong feelings on the subject, they had accepted the position that a

Mr. Seddon

purely secular system of education should obtain throughout the colony. They had accepted the system from necessity, but they did not altogether like it: there was no disguising that fact. They still availed themselves as far as possible of their own schools, the education given at which was better than that generally given at the schools in existence under the present system. He did not believe in the system of free education being carried beyond the simplest education for the population generally. He did not think any of the national funds should be devoted to what might be termed high-class education, and whenever the attempt to have that done was made he should vote against it.

Mr. HALL sympathized very much indeed with the views expressed by the honorable member for Manawatu. If a well-considered proposal were brought forward to relieve a large section of their fellow-subjects in this colony, who believed themselves to be harshly treated by the present law, it would have his hearty sympathy and cordial support. He reserved that right to himself. It was a view he had for a long while entertained. At the same time, he would not do anything that would disturb or in any way impair the national system of education which had been established in the colony, and which, he believed, had been a success.

Mr. ANDREWS said he had always been in favour of the State adopting a system of education that would be secular and free. He did not say that their educational system was complete in every respect; but he should be exceedingly sorry to see it interfered with in any way until it had had a fair trial. He thought it would be admitted that so far it had answered most admirably. As an instance of the favour in which the public schools were held, he might mention that at Sydenham there was a Church of England school, at which there was an average attendance of sixteen scholars. When that school was removed, and a new Government school established, there was an attendance of something like three hundred and forty scholars. There were other cases of a similar kind. He was astonished to hear the honorable member for Timaru state that the schools were not free because people had to pay taxes to support them. It might as well be said that the roads were not free because the people were taxed to make them. He had always advocated the principle that the State should see that the children were educated—that the elementary standard of education was placed within the reach of all children—that they were taught to read, write, and cipher. On the other hand, were they prepared to say that the State should not go any further? The State subsidized the telegraph, postal, railway, and other departments; and why should it not subsidize a system of high-class education? They ought to build their universities and colleges. Why should wealthy men have to send their sons Home to be educated? Why should there not be the means of educating them in the colony? He hoped the system of education would grow, and that the high schools would be turned into higher schools—that every class of education required by the people would

be obtainable in the colony. The present system had been experimental, but, so far as it had gone, it had been highly satisfactory. Taking Canterbury as a whole, he could say it was satisfied with the present system, and he hoped there would be no change whatever until a few years' experience had been gained.

Mr. LUNDON should vote with the honorable member for Timaru. No doubt the present system was the best the colony ever had, but honorable members should recollect that it cost ten times as much as any system that had preceded it. If the other systems had had as much money spent on their development they would have turned out very well. He could not help reminding the House what hardships were imposed by the present system upon the sect to which he belonged, although he was aware it was just now of little use saying anything about it, because the country had gone education-mad. Still, the present system had done his people good, because it had induced them to put their best foot forward. They were spending large sums in the education of their youth, and, so far as the girls were concerned, they were being better educated than were the girls at the ordinary public schools. Apart from all religious education, he believed that the body to which he belonged was entitled to consideration on the basis of results. The country had no right to take £30,000 a year from the poorest people in the colony, and give them nothing in return. He was glad to hear Mr. Macandrew, the Minister for Public Works, and Sir George Grey all agree that the system of education now in operation was too expensive; and he agreed with them. It now cost £250,000 a year, and it was nonsense to say the rich were paying for it, or were going to pay for it. It had been paid for out of borrowed money in the past, and, as to the future, he believed the whole thing would break down in a couple of years.

Mr. TAINUI said the Natives wished to leave the system as it now stood so far as they were concerned, because they believed it would greatly tend to unite the two races to have the children of both peoples educated together. He believed there was to be an Inspector of Native Schools for each Island, and he approved of it. He also thought that, when the parents saw that their children had learned all that was to be learned in the lower schools, they would be desirous of sending them to higher schools; and he hoped, if the Maoris did wish to have a higher school or a college, the Government would help them. The Natives greatly desired their children to be well educated in the years to come; and therefore equal laws should be made for both races as regards schools. Many of the Natives in the South Island were poor; but let them be assisted, because they understood thoroughly that the future advancement of the Natives, as well as Europeans, depended upon education. A Native college should be established, and the Natives should have charge of it.

Mr. Turnbull's amendment negatived, and vote, Education Department, £183,199, agreed to.

Public libraries, £5,000, agreed to.

Native schools, £11,614.

Mr. TURNBULL would like to have some information as to the item, "Education of sons and daughters of chiefs."

Mr. ROLLESTON said he wished to explain two or three items. First of all, he desired to say that he was asking the Committee to pass these items with the distinct understanding that the administration of these votes would be in accordance with the decision of the Committee the other evening with regard to increase of salaries. There was an item which he felt bound to call attention to. It was an item of £50 increase to an officer in this department who would have a good deal to do with Native schools. These had been handed over recently from the Native Department to the Education Department. The Native Office staff previously administered the Native schools. This change of course threw a considerable amount of work on the department, and he proposed to give one exceedingly good officer, who would have a good deal to do with those schools, an increase of £50. Unless the Committee objected, that would be done. There was a new item, providing for the appointment of an "organizing inspector," which meant an inspector who would be capable himself of teaching the art of teaching, and of bringing the schools under the English model. With regard to the education of the sons and daughters of Native chiefs, that was an item on which he could not now express any definite opinion. It was an experiment that must be tried with very great caution. Proficiency was the only test on which children could be removed into a higher system of education. He hoped before long to see the English language widely spread in the primary schools, and the children turned out capable of taking advantage of the higher schools of the country. He would watch this experiment very carefully, and after further experience he would say definitely whether the course now pursued should be proceeded with or not.

Mr. TURNBULL would suggest that scholarships should be established.

Mr. ROLLESTON had intended to indicate that those who received these special advantages should get them in recognition of greater proficiency in learning.

Mr. LUNDON was glad that an organizing inspector was proposed; but he did not think the amount on the estimates was sufficiently large. Hitherto the Native schools had been inspected by magistrates or local officers, who had their own friends, and made reports that suited themselves and the Government. He saw no provision made for school-buildings, and there were two districts—Whangape and Motukaraka—in which schools were much needed.

Mr. ROLLESTON said school-buildings and repairs had been transferred to the public works estimates. He could not speak definitely with regard to the two districts mentioned by the honorable member for the Bay of Islands; but the Government would adopt the principle of providing schools where sites were given and there was a fair prospect of a reasonable attendance. The disposition on the part of the Go-

vernment was to increase and improve these Native schools.

Mr. TAWHAI said that the Native schools had been established for seven years, and no great benefit had been derived from them, because the children had spoken Maori, and when they went back to their people they got into their own ways again. They had no European playfellows to speak English to. In the year 1878 the Maoris began to think that they had better ask for a higher school, where the children might stop and continue their studies. They wished this, because they desired to have some place where these children might continue their studies, and eventually gain the knowledge obtained by the Europeans. They wanted some school at which the children could remain for some considerable time and thoroughly learn the English language. At Whangape, where there were 120 children, the Natives wanted a school, and were quite willing to grant a site for a school of that kind. He was pleased to see that an inspector was to be appointed whose duty it would be to examine these schools and see that they were conducted properly. But he would like to see the amount increased, for some places which the officer would have to visit would be very difficult to get at.

Vote, Native schools, £11,614, agreed to.

CLASS III.—MINISTER OF JUSTICE.

Department of Justice, £1,095.

Mr. TURNBULL would like to know if the rule which had already been laid down with regard to increases of salaries would apply to this department.

Mr. ROLLESTON said that all the estimates of which he had charge would be subject to the decision arrived at by the House the other evening, that no increases to salaries above £200 would be granted, unless in special cases, such as he had already indicated.

Vote, Department of Justice, £1,095, agreed to.
Crown Law Office, £1,620.

Mr. GISBORNE, referring to the item, "Law Draftsman (also Clerk, Land Claims Office, £200), £350," said it had often been asked in the House that a sum should be voted which would enable a really good expert in drafting to be employed. He did not mean to say that the Bills at present were not drafted well, but he thought it would be better to have an expert specially for the work, and to pay him a suitable salary, than to employ an officer at a comparatively low salary, who was also engaged in other capacities.

Mr. ROLLESTON said that the Government had not had an opportunity of considering the propriety of the change suggested by the honorable gentleman. This officer, as the honorable member knew, was of considerable standing in Wellington, and a very efficient officer. The two salaries which he received made together a very fair remuneration.

Vote, Crown Law Office, £1,620, agreed to.

Land Claims Office, £150, agreed to.

Supreme Court, £5,322, agreed to.

District Courts, £5,801, agreed to.

Resident Magistrates' and Wardens' Courts, £34,813.

Mr. Rolleston

Mr. LUNDON asked if there was any likelihood of a Resident Magistrate being appointed for Mongonui. He believed a correspondence had taken place between the late Government and the officer in charge of the district on the subject.

Mr. ROLLESTON said the question had not been brought under his notice. There was no sum on the estimates to meet such an appointment, and no claim on the subject had been brought before him. He would like to say, with regard to this item of Resident Magistrates' Courts, that there were a number of items that appeared as increases, some of which were really not increases, because the officers had been transferred, taking with them the salaries they had been receiving. There were some salaries on the estimates as increases in regard to which there had been absolute promises made, and which had already been drawn against. A general direction had been given, before the estimates were brought down, that no increases were to be paid. There were some items which appeared to be increases, but which were not; and in respect to these the Committee would understand that he was asking them to intrust the Government with discretion in dealing with them.

Mr. GISBORNE said that the case of the Warden and Resident Magistrate at Hokitika was one which the honorable gentleman might perhaps regard as a special case, worthy of exemption from the rule referred to. The amount of salary which had hitherto been received by this officer was £400, the other Wardens receiving £500; and it was now proposed that this gentleman should also get a salary of £500, and be placed on the same footing as the others. He believed a promise had been given to this effect.

Mr. ROLLESTON could not pledge himself to treat this as one of the special cases to be exempted from the general rule. If a distinct pledge, which the Government could not honorably go back from, had been given, it would have to be observed. But he wished the Committee to understand that the Government would not depart from the general principle which this House had laid down, except in a very special case.

Mr. GISBORNE only called attention to the matter in order that the honorable gentleman might look into it. He believed there was a correspondence on the subject.

Mr. ROLLESTON said the case would receive full consideration.

Mr. FINN moved, That the item, "Travelling expenses to Wardens, Resident Magistrates, and Clerks, £2,500," be struck out, because provision was already made for travelling expenses under separate headings. He did not see why the Government should be put to the expense of supplying guards of honor to Resident Magistrates who wished to travel about accompanied by their clerk, bailiff, and policeman.

Mr. ROLLESTON said it would be better not to strike the item out, because there were certain expenses legally allowed. It would be far better to have efficient, well-paid men going on circuit, and therefore receiving travelling allowance, than

to have a number of men, with inferior salaries, and therefore, presumably, of inferior ability, settled down in particular localities. If this item were struck out the Government would not be able to sanction travelling expenses which the law provided for, and which were required to be paid under existing regulations. He quite admitted, from his experience of the department, that, if he might use the expression, the thing was in a very "mixed" condition; and he found, when he came into office, that there was an Order in Council which practically set aside these regulations, and left it to the Minister of the day to do precisely what he thought fit in individual cases. He thought there should be a regulation that, wherever there were travelling allowances, such as were referred to by the honorable member for Wakatipu, which were attached to the office, no further travelling allowances should be paid. He would look carefully into the matter, and would ask the Committee to leave with the Government the power of dealing with it during the recess, giving an assurance that the thing would be reduced to a system, and that what the honorable gentleman complained of would not be allowed to continue.

Mr. DE LAUTOUR would like the honorable gentleman to make a note of the salary paid to the Clerk of the Court at Naseby. He also was of opinion that these estimates were considerably "mixed," and thought that for some years official favouritism had been shown, which was unchecked by Ministers. The honorable gentleman would see that the Clerk at Lawrence received £325, the Clerk at Clive £325, and the Clerks at Greymouth and Hokitika over £360 each; but the Clerks at Naseby and Arrowtown were picked out for smaller salaries. The business at the Naseby Court exceeded the business of any other Court in Otago, and a person of highly responsible character was required for the position. He believed the present officer gave every satisfaction; and certainly the Clerk of the busiest Court in Otago ought not to be underpaid.

Mr. ROLLESTON said the appointment was a new one. The time an officer had been in the service must be taken into consideration.

Mr. DE LAUTOUR pointed out that the Naseby District was an expensive district to live in. It did not follow, merely because a man was a bachelor and could live upon a small sum, that necessarily he should be compelled to do so.

Mr. J. B. FISHER drew attention to the smallness of the salaries paid at Charleston and Lyell. The Clerk at Lyell was a married man. He received £200 a year, and was not provided with a house; and, when it was considered that the cost of carriage to Lyell was £10 a ton, it would not be difficult to understand that the cost of living was high. He had to collect a considerable amount of revenue, and the salary was totally out of proportion to the responsibility of the office. The salary of the Clerk at Charleston was £125, and his was therefore an equally hard case.

Mr. TAWHAI called attention to the inconvenience caused by the absence of a Resident Magistrate at Mongonui since Mr. White was pensioned. The Rarawa Tribe had always been

loyal and true; but the want of a Magistrate was as much felt by the Europeans as by the Natives. He hoped the Government would appoint a Resident Magistrate for the district.

Captain KENNY asked what provision was made for the travelling expenses of the Resident Magistrate who visited Havelock, the Wakamarina Gold Fields, and Queen Charlotte Sound. He was an officer who had very onerous duties to perform; and, unless a liberal allowance was made, it would be a great hardship, as travelling in the district was very expensive, a good deal of it being done by boat.

Mr. ROLLESTON said he had no doubt it was provided for out of the vote just referred to by the honorable member for Wakatipu.

Mr. SEDDON asked whether any equalization of the Resident Magistrates' Districts of Hokitika, Greymouth, Westport, and Grey Valley was likely to be made. Mr. Warden Broad died recently; and it was said that his death was accelerated by the large size of the district he had to travel. Dr. Giles, the Resident Magistrate at Hokitika, would have quite sufficient to do if he attended to the district from that place south, without going to the north at all.

Mr. ROLLESTON said the present arrangements were temporary, with the view of giving the Government time for further consideration of the question during the recess, when they hoped to be able to make such arrangements as would equalize the districts over which these officers would have to travel.

Mr. TAWHAI would like an answer to his question with reference to a Magistrate at Mongonui.

Mr. LUNDON said that since Mr. White had been pensioned off there had been no Resident Magistrate there, and the Maoris felt a great want of one. There had been a correspondence with the late Minister of Justice upon the subject, and also a petition from the Natives. When Mr. Bryce was up there some of the Justices of the Peace in the district represented the matter to him, and complained that they had very long distances to travel to attend the Courts. Mr. Bryce promised to lay the matter before the Government.

Mr. ROLLESTON would look into the subject, but could make no distinct promise at the present time. He found this particular magistracy dropped out of the estimates by his predecessor, presumably with the idea that a Resident Magistrate was not wanted there. The view of the Government was to consolidate the offices as much as possible, and make the Resident Magistrates travel over widely-extended districts, which would have the advantage of giving the public experienced men to do the duty.

Mr. WAKEFIELD called attention to the salary of the Resident Magistrate at Timaru. This officer was most experienced, and was very much overworked, while his salary was less than that of several other Resident Magistrates of the same standing. He hoped the Government would see their way to make more equality in these salaries.

Mr. TURNBULL quite agreed that the Resi-

dent Magistrate referred to was a most efficient officer, but the Committee had already laid down the condition that there were to be no increases of salaries.

Mr. ROLLESTON had noticed that there were very great inequalities in the salaries of Resident Magistrates throughout the estimates, and he would do his best to bring down proposals next session to rectify this, and to put the older officers in a better position.

Mr. LUNDON called attention to the small salary paid to the Clerk at Mongonui, who was also Customhouse Officer, and had been Inspector of Schools until lately, and only received £220 a year altogether. He hoped the Minister would look into the matter.

Mr. ROLLESTON promised to look into the question. He was aware this was a very deserving officer.

Vote, Resident Magistrates' and Wardens' Courts, £34,818, agreed to.

Petty Sessions Courts, £113, agreed to.

Criminal prosecutions, witnesses, and jurors, £6,000, agreed to.

Coroners, £1,875.

Mr. STEVENS asked whether Coroners' juries received payment under any circumstances. Great complaints had been made on the subject. If a man lived near a gaol, a lunatic asylum, or a hospital, he was liable to be called on at any time to act in this capacity, and had to lose his day's work without getting anything for it.

Mr. ROLLESTON said the Government's attention had been called to the subject at an earlier period of the session, and they had promised to look into it.

Vote, Coroners, £1,875, agreed to.

Prisons, £30,419.

Mr. GEORGE asked if there was any intention to equalize the salaries of Gaolers throughout the colony. He saw that there was a vote of £1,800 for the purpose, but he did not think that would be sufficient.

Mr. W. J. HURST would like to know why the Gaoler at Dunedin received a salary of £500 a year, while the Gaoler at Auckland only received £300.

Mr. ROLLESTON said the Government proposed to equalize the salaries of these officials as much as possible; but they must be guided very much by the decision already arrived at by the Committee that no salaries above £200 a year should be increased.

Mr. STEVENS presumed that, if £1,800 were taken to place the salaries of gaol officials on an equal footing, there would be a great deal of levelling-down as well as levelling-up. He thought the case of the Gaoler in Addington should receive attention, as he seemed to be very much underpaid considering the work done.

Mr. ROLLESTON said that as a Visiting Justice of the gaol the matter had been brought under his notice, and it would receive consideration.

Mr. BOWEN said the Government would have a long job in dealing with this question of equalizing the pay of the gaol officials. The question was under consideration some time ago, when a change of Government took place, and a

Mr. Turnbull

large number of papers were to be found in the department showing that great discrepancies existed in 1877. For instance, in Dunedin Gaol the payment of the officers and the number of officers were on a higher scale than in any other gaol in the colony. The question had never been properly tackled since the provincial services were taken over by the General Government.

Vote, Prisons, £30,419, agreed to.

Contingencies, £3,900, agreed to.

Miscellaneous services, £2,231, agreed to.

Progress was reported, and leave given to sit again.

The House adjourned at twenty-five minutes to two o'clock a.m.

LEGISLATIVE COUNCIL.

Wednesday, 26th November, 1879.

First Readings — Second Readings — Third Reading —
Maori Translation of Bills — Patents Bill — Mines Bill
— Lawrence Athenaeum and Mining Institute Bill
— Christchurch Drill-shed Bill.

The Hon. the SPEAKER took the chair at half-past two o'clock.

PRAYERS.

FIRST READINGS.

Te Aro Reclamation Bill, Reprint of Statutes Bill, Otago Road Boards Bill.

SECOND READINGS.

Hamilton Volunteer Hall Site Bill, Hokitika Harbour Board Endowment Bill, Masterton and Greytown Lands Management Bill.

THIRD READING.

Primitive Methodist Temporal Affairs Bill.

MAORI TRANSLATION OF BILLS.

On the motion of the Hon. Mr. TAIAROA, it was ordered, That all Bills which have been translated into the Maori language, during each session, be bound in a similar manner to the general Statutes, and that they be placed in the General Assembly Library as a means of reference for the Maori members.

PATENTS BILL.

The Hon. Mr. WHITAKER, in moving the second reading of this Bill, said its principal object was to reduce the cost of getting patents. Whether or not the costs under the present Act were excessive, the House of Representatives had come to the conclusion that they were, and it was desired that they should be reduced. In comparison with the fees paid under the existing Act, it would be found that very considerable reductions in the fees were proposed in the present Bill. He thought the fees ought to be fixed differently. It seemed absurd that fees should be paid at the end of three years, as great difficulties would arise in their collection. There were some alterations proposed for the purpose of simplifying the law. There was no question of policy involved in this Bill, which was

merely an administrative Bill, and he begged to move that it be read a second time.

The Hon. Colonel WHITMORE was very glad to see this Bill introduced. The great fault in their administration was, that they had used the Patents Act to secure a revenue. In America a different principle was applied, and the consequence was, that a great many inventions which proved useful to the whole world were patented, on account of the smallness of the fees which were charged in that country. He congratulated the Hon. the Attorney-General on taking this step towards what he considered to be a very necessary reform. He only hoped it would go a great deal further.

The Hon. Mr. REYNOLDS was in hopes that under this Bill the fees would be a great deal smaller. No doubt it was to the small fees charged in America that the world was indebted for the great number of inventions, which had resulted in such a great saving of labour. He did not know whether the Legislative Council could interfere with the Schedule, but he thought the Attorney-General might defer the consideration of the Bill until another day, and see whether the fees could not be further reduced in the other branch of the Legislature. He thought it a farce to talk of reducing the fees by such a trifle as this Bill proposed. The whole of the fees ought not to amount to more than £5, if they wished to encourage local industries and the taking-out of patents. The fees should only be such as would prevent persons giving unnecessary work in the registration of patents. It was a great farce to call the fees set forth in the Schedule to this Bill reductions.

The Hon. Mr. G. BUCKLEY said he spoke from memory, but he thought the total cost in America of taking out a patent was 10 dollars.

The Hon. Sir F. DILLON BELL said that everybody who read the *Scientific American* saw scores of new inventions registered. There was scarcely a single thing connected with social economy or domestic use with regard to which patents did not exist in America for numberless inventions which were unknown in England.

Bill read a second time.

MINES BILL.

The Hon. Mr. LAHMANN, in moving the second reading of this Bill, explained that it had been brought in merely to remedy an omission which was made in "The Mines Act, 1877." Clause 3 provided that, if a company spent £1,500 during three years in cash or by labour, or £500 during the last six months, without receiving any benefit in return, on payment of £5 they should get twelve months' protection for their claim. The Bill gave power to the Governor to grant this protection, and proof had to be given before a Justice of the Peace that the money had been expended before protection was asked for. Furthermore, the Bill provided that, at the expiration of the twelve months, if the company recommenced work, and if they could prove, after twelve months' work, that they had spent another sum of £500 in cash, then it should be in the power of the Governor to grant them another

twelve months' protection. The Bill also provided that, if the company had spent £6,000 over and above what they had derived from their mining enterprise, the Governor might give them protection for two years. When it was considered that the Bill would apply to quartz claims, and would not interfere with any private rights, he hoped no objection would be raised against it. The Bill had been thoroughly investigated by a Committee in the other House, and the Committee had recommended that certain amendments, which were now in this Bill, should be assented to.

The Hon. Captain FRASER would have no objection to the Bill if its operation were confined entirely to the West Coast. But he should object to its being applied to the East Coast, because in that case any man might go on any Crown land, open a trench quite close to a gentleman's house, pay £5, and get protection for twelve months.

The Hon. Colonel WHITMORE did not know whether it was the intention of the Government to introduce a Bill this session to secure safety to the miners working in the coal mines of the colony. He considered this a very necessary piece of legislation. With regard to the present Bill, it was a question of doubtful wisdom whether by means of the proposed protection those who had already lost money should be encouraged to go on until they incurred a still greater loss. It might be a mistaken kindness to grant the protection proposed.

The Hon. Sir F. DILLON BELL intimated that when in Committee on the Bill he would move the insertion of a clause. The Gold Fields Committee of 1877, in going through the Mines Act of 1877, recommended certain regulations which should be given effect to under that law. These recommendations were incorporated in that Act. Power was given to the Government to alter these regulations, and the effect of that power was, that in one case the Minister of Mines in the late Government swept away the whole of the legislation that had been considered there by one stroke of his pen. As soon as the Gold Fields Committee met in Session I. of this year, it did not take them five minutes to put an end to this power, and it was abolished. If such power was given as would affect the principle of our laws, it would be much better to have no laws at all. He would be prepared to move the insertion of a clause when the Council went into Committee on the Bill.

Bill read a second time.

LAWRENCE ATHENÆUM AND MINING INSTITUTE BILL.

The Hon. Mr. REYNOLDS, in moving the second reading of this Bill, said the whole principle of the measure was to authorize the borrowing of £400, to be repaid within four years, at £100 a year. The rents arising from the reserves amounted to something like £106 per annum.

The Hon. Sir F. DILLON BELL was not aware what form of instrument could be designated a mortgage of land which did not give the power to sell. Parliament was asked from time to time to give grants of land to these local

bodies. They got into debt, and then asked for leave to mortgage or sell the land. He hoped the honorable gentleman would not consent to allow of the land being affected as a security.

The Hon. Mr. WHITAKER agreed that it was very objectionable, as had been pointed out by the Hon. Sir F. Dillon Bell, to first give these bodies land, and then enable them to place the land in such a position that it might be sold. But it would appear that this was not by any means a case of that kind. He understood that after this land had been granted the trustees had erected upon it a good building, to complete which they had been compelled to borrow £400. To pay off this sum they asked for power to mortgage the rents and profits arising from the property. There were rents to the extent of £140 or £150 a year, and out of these the amount borrowed could be paid in four years. If the Council never passed a worse borrowing Bill than this, very little harm would be done by borrowing.

The Hon. Mr. REYNOLDS might be allowed to correct the Hon. the Attorney-General. The £400 had been borrowed, not to erect the Institute—although there was a very good building—but to improve another piece of land, which, in consequence of the expenditure on it, now yielded a revenue of about £140 a year. The result of the expenditure showed that it was a wise proceeding, and he hoped the Bill would be passed.

Bill read a second time.

CHRISTCHURCH DRILL-SHED BILL.

This Bill was further considered in Committee. Schedule.

The Hon. Mr. G. BUCKLEY moved, as an amendment, That the word "six" be struck out, and the word "three" inserted in lieu thereof.

Question put, "That the word proposed to be omitted stand part of the Schedule;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	15
Noes	...	...	...	...	14
Majority for	...	...	...	...	1

AYES.

Mr. Acland,	Mr. Peter,
Colonel Brett,	Major Richmond, C.B.,
Mr. Dignan,	Mr. Robinson,
Mr. Gray,	Mr. Scotland,
Mr. Henderson,	Mr. Whitaker,
Mr. G. R. Johnson,	Colonel Whitmore,
Mr. Miller,	Mr. Wilson.
Mr. Peacock,	

NOES.

Sir F. Dillon Bell,	Mr. Nurse,
Mr. G. Buckley,	Mr. Paterson,
Mr. Chamberlin,	Mr. Pharazyn,
Mr. Edwards,	Dr. Pollen,
Captain Fraser,	Mr. Weatherhouse,
Mr. Holmes,	Mr. Williamson,
Mr. Menzies,	Mr. Wood.

The amendment was consequently negatived. Bill reported, with amendments.

Hon. Sir F. Dillon Bell

The Council adjourned at ten minutes past five o'clock p.m.

HOUSE OF REPRESENTATIVES.

Wednesday, 26th November, 1879.

Third Reading—School of Mines—Okarito Light—Thames Drill-hall—War Materials—Ashley Gorge Bridge—Dr. Buller—W. J. Hurst—Invercargill Benevolent Institution—Queenstown Gaol—North Taieri Road—West Coast Inspector of Mines—Parliament Buildings Wire—Edendale—Fortrose Railway—Otautau—Nightcaps Railway—Lake Wakatipu Agricultural Land—New Zealand Constitution Act 1852 Amendment Bill—Gold-mining—D. McCready—Civil Service—H. W. Farnall—Rodney Roads—A. Stitt—Civil Servants' Salaries—Nelson South-west Gold Fields—Taranaki Iron-smelting Works Bill.

Mr. SPEAKER took the chair at half-past two o'clock.

PRAYERS.

THIRD READING.

Marlborough Rivers District Union Bill.

SCHOOL OF MINES.

Mr. REEVES asked the Minister of Mines, If, during the recess, he will institute inquiries with a view to establish a School of Mines in the colony? The Minister of Mines was no doubt aware that a sum of £500 was put down for a School of Mines in Otago, and £150 for Canterbury; but that did not at all meet the requirements of the case. By far the most important part of the gold fields of New Zealand—the west coast of the Middle Island—was left out in the cold. It would be far more satisfactory to establish a School of Mines in some central place, and not continue the present farcical arrangement.

Mr. ROLLESTON said it was decided last year that a School of Mines should be established in Otago, and another in Canterbury. There was already a professor lecturing in Otago in connection with the School of Mines, and considerable progress had been made in collecting specimens, and towards putting the institution upon a satisfactory footing. The Royal Commission on Higher Education would shortly report on the subject, and further inquiry would be made by the Government.

OKARITO LIGHT.

Mr. GISBORNE asked the Minister in Charge of the Marine Department, If he will allow the white light on the flagstaff at Okarito, west coast of Middle Island, to be continued? This light had been established for a great many years. Its annual cost was only about £20, and, although it might not be useful in enabling vessels to enter the harbour at night, it was useful for purposes of identification of locality in respect of coasts which approached that part of the coast. He hoped the honorable gentleman would postpone the abolition of the light for some time, at least.

Major ATKINSON said he had every desire to favourably consider the matter, but he was informed by the Marine Department that the

light was useless. It was true its maintenance only cost £20 per annum, but the port, he was informed, was only visited by one vessel, which always entered and departed by daylight, so that really the light was of no use whatever. He would make further inquiry, and, if it were found that the light was of any use at all, he would accede to the honorable gentleman's request.

THAMES DRILL-HALL.

Sir G. GREY asked the Government, If they will make provision on the supplementary estimates for a drill-hall for the Thames Volunteers, in the same manner as they have made provision for similar halls for Volunteers in other parts of the colony?

Mr. HALL said the officer commanding the Thames Volunteers had asked for a sum of £2,400—£1,200 for a drill-shed, and £1,200 for a drill-ground. The assistance given to other districts had been a subsidy of £1 for £1 on the amount raised by the Volunteers themselves; the Government subsidy in no case to exceed £300. They were therefore not able to comply with the request made. It was thought £600 would be sufficient to procure an ordinary drill-shed. The only grant that had been made of a larger amount was made to the Wellington Artillery. A heavy battery of guns having been ordered, the Government would have to provide for it.

WAR MATERIALS.

Mr. ANDREWS asked the Government, If there are any Government papers or correspondence in the hands of the Government bearing on the subject of the manufacture of ammunition and war materials in this colony; and, if so, will the Government lay such papers before this House?

Mr. HALL said there had been a correspondence on the subject between the Government and the Agent-General, and a copy of that correspondence would be laid on the table.

ASHLEY GORGE BRIDGE.

Mr. MOORHOUSE asked the Minister for Public Works, Whether it is the intention of the Government to complete the approaches to the Ashley Gorge Bridge? Although the bridge was completed, the approaches were not, and the bridge was therefore useless. It had been erected some years, was out of repair, was vested in no one, and was of no use whatever.

Mr. OLIVER said it was true the bridge was useless, because the approaches had not been made. A sum of money would therefore be placed on the estimates to complete the approaches.

DR. BULLER.

Mr. PYKE asked the Premier, What amount has been paid by the Government to Dr. Buller, within the present year, and up to date, for services; also, what is the nature of such services, and whether that gentleman's services are still retained by the Government, and upon what terms and conditions?

Mr. BRYCE replied that the amount which had been paid to Dr. Buller during the period

named in the question was £651. Dr. Buller was specially retained at present as counsel in Native land cases, for which he received 10 guineas per day. The £651 was paid for services in the same capacity.

W. J. HURST.

Mr. SHRIMSKI asked the Government, Whether the W. J. Hurst mentioned in the estimates for the present year, Class I., in the Colonial Secretary's Department, as entitled to £84 for services rendered as Chairman to Auckland Hospital Committee, is a member of this House; and when these services were rendered? He asked this question because there were a number of gentlemen in the position of chairmen of charitable institutions, and he wished to know whether they would be paid for their services by the Crown.

Mr. HALL replied that in 1877 a Royal Commission—not a Committee—was appointed to inquire into the Auckland Hospital, Gaol, and Lunatic Asylum, of which Commission Mr. Hurst was Chairman. Payments were made to the Secretary and to Mr. Hurst, the latter receiving 80 guineas.

INVERCARGILL BENEVOLENT INSTITUTION.

Mr. BAIN asked the Minister of Lands, Why the Crown grants of Sections 1, 2, 3, 20, 21, and 22, Block 49, Town of Invercargill, have not been issued to the Invercargill Benevolent Institution, these sections having been permanently reserved for the purpose by Proclamation in the *New Zealand Gazette* of 18th July, 1878?

Mr. ROLLESTON replied that certain preliminary steps to the incorporation of the Benevolent Society had not been given effect to; but when the society was incorporated the grant would be issued.

QUEENSTOWN GAOL.

Mr. FINN asked the Government, If they intend to erect a public gaol at Queenstown; and, if so, when? About seventeen years ago a log-hut was erected at Queenstown, which had ever since been used as a gaol. It had been condemned by the Judges, the Magistrates, and the Visiting Justices. Some time ago the Government called for tenders for the erection of a gaol, and the tenderers made the necessary deposits. These tenderers had never received an answer, and their cheques were retained by the Government. Fresh tenders were afterwards called for, and the deposits in those cases were also retained, and were in the hands of the Government at the present time. A gaol was absolutely necessary, as it was dangerous to confine prisoners in the present building, even for a single night.

Mr. ROLLESTON replied that the question of having small district gaols was one which required very careful consideration. A number of requests had been made for the erection of such gaols, and the Government wished to take time to consider whether there was any necessity for them. In this particular case the statement of the honorable gentleman was correct that tenders had been called for and received, but he found

that a question had been raised by the previous Government as to the necessity for the gaol. That question was very properly raised, and the Government required more information before they proceeded further in the matter. The opinions he had received tended to show that this gaol was not necessary.

NORTH TAIERI ROAD.

Mr. BARRON, in the absence of Mr. Fulton, asked the Minister for Public Works, Why the sum of £3,000, voted under "The Immigration and Public Works Appropriation Act, 1878," being Vote No. 87, Item 34, road North Taieri to Run No. 75 (Boyd's), and bridge across Taieri River, six miles, to open up 28,000 acres, has not been expended; and whether the Government are prepared to place that sum on the estimates for the same purpose for the current financial year?

Mr. OLIVER replied that the money had not been spent because the railway works were not sufficiently advanced to make the necessary connection. The money would, however, be again voted this year.

WEST COAST INSPECTOR OF MINES.

Mr. REEVES asked the Minister of Mines, If it is the intention of the Government to appoint an Inspector of Mines for the west coast of the Middle Island? This question had been asked on one or two occasions in former sessions, and it was understood that an Inspector of Mines would be appointed on the West Coast, inasmuch as there had been considerable loss of life through there being no proper supervision of the work there.

Mr. OLIVER replied that the coal mines of the West Coast were now visited every year by the Inspector. It was not the intention of the Government to appoint an Inspector of Gold Mines this year.

PARLIAMENT BUILDINGS WIRE.

Mr. REEVES asked the Commissioner of Telegraphs, When he will cause the wire to be again worked from Parliament Buildings? Honorable members were put to very great inconvenience through this wire being cut off. He might say that on the previous day he received two urgent telegrams, and an hour had elapsed between the time they were delivered at the lower office and that at which they were received in the Buildings. Although the Government, very properly, was going in for retrenchment, he thought they might allow this wire to be used by members during the remainder of the session.

Mr. HALL replied that the honorable gentleman was quite correct in saying that the present arrangement was adopted with a view to economy. As the honorable gentleman was one of those who contended that members of the House should begin with themselves in carrying out economy, he trusted that the honorable gentleman, and the House generally, would see the advisability of the arrangement. One operator was kept at the Buildings at present, whereas it would require two if all messages were to be telegraphed direct

Mr. Rolleston

from the office. Ordinary messages were sent every quarter of an hour to the head office by a messenger, and urgent telegrams were sent direct from the Parliament Buildings. That system had been in operation for some time, and he was informed that very little delay occurred. If the honorable gentleman would give him particulars of the delay that occurred in the case he referred to, inquiries should be made into the matter.

EDENDALE-FORTROSE RAILWAY.

Mr. SHANKS asked the Government, What steps, if any, have been taken to have the land at Mataura, reserved and set apart for the purpose of paying for the construction of the Edendale and Fortrose Railway (being about 48,000 acres), surveyed into suitable-sized sections, and thrown open for sale? Also, if they will be prepared to place a considerable portion of the described land in the market under the deferred-payment system? He need hardly say that the land referred to was on the confines of land which had already been settled by a large number of people. He wanted to know whether the Government would be prepared to place the land in the market at once.

Mr. ROLLESTON replied that, as he had learned, the original intention of the Government was that the land should not be sold until the opening of the railway gave it additional value. At present it was not subdivided into sections, and could not be placed in the market.

OTAUTAU-NIGHTCAPS RAILWAY.

Mr. McCAUGHAN asked the Minister for Public Works, If the Otautau and Nightcaps Railway was let to a *bond fide* contractor, if any deposit was paid, and if he will lay the contract before this House; no progress having yet been made with the contract?

Mr. OLIVER replied that the contract was let to Mr. James Innes, who had previously performed some work under contract for the Government. The contractor had deposited £50, and had given security for £550. Serious annoyance had been caused to the department by the dilatoriness of the contractor; but he would now be compelled to go on with the work.

LAKE WAKATIPU AGRICULTURAL LAND.

Mr. FINN asked the Minister of Lands, What is the cause of delay in the throwing-open of certain agricultural land at the head of Lake Wakatipu? He begged to point out that he had visited his district within the last fortnight, and several settlers there were desirous to take up the land; there was about twenty thousand acres of good agricultural land shut up from settlement. It was quite time to have this land thrown open, as frequent applications had been made to the Government during the last ten years to do so; but all those applications had been neglected.

Mr. ROLLESTON replied that there was no intention to delay the opening of this land after the House had determined upon the Land Bill which was now before it. As he was informed, the high price at which the land would have to

be sold if put into the market would deter purchasers at the present time. He would take care that the question received full attention immediately after the House rose.

NEW ZEALAND CONSTITUTION ACT 1852 AMENDMENT BILL.

This Bill was read a first time.

Sir G. GREY moved, That the Bill be printed, and read a second time on Wednesday next.

Mr. BOWEN thought that, before a Bill affecting the Constitution was brought on for second reading, the mover should explain its purport.

Mr. HALL said that at the time the honorable member asked for leave to introduce the Bill he did not hear him do so. He agreed with the honorable member for Kaiapoi, that it would be reasonable for the honorable member, in proposing a Bill of such great importance, to be good enough to state to the House its general purport. He hoped that, before they fixed a day for the second reading, the honorable gentleman would be good enough to do so.

Sir G. GREY thought that, as the Bill had been read a first time, the preferable plan would be to allow him to make his statement on the second reading. He believed that was the usual course.

Mr. BOWEN did not suppose for a moment that there would have been any objection on the part of the honorable member. He only wanted the briefest information as to the Bill.

Mr. MACANDREW thought it would be rather a pity to raise discussions on the introduction of Bills.

Mr. HALL said that, if the honorable member did not state the purport of the Bill, he would object to a day being fixed for its second reading.

Mr. MOSS thought it would be a very great pity to raise a discussion at this stage, when there was so much private business to be disposed of. He hoped the usual courtesy would be extended to the honorable member.

Mr. McLEAN said that perhaps the honorable member for the Thames had not yet made up his mind as to what he was going to put in the Bill. Probably it was one of those bogus Bills which were simply introduced for the purpose of having "a shy" all round. If the honorable member would just confess that he had not yet made up his mind as to what he would put in the Bill, no doubt the House would have no objection to fix a day for the second reading, and give him an evening to himself.

Mr. ROLLESTON hoped the mover would vouchsafe some information to the House on an important question of this kind. Members were very anxious to get on with necessary business, but now they found there was a great constitutional change impending, if they were to judge by what had fallen from the honorable gentleman. If they were not to be told the nature of that change, it might be a question whether the House was prepared at this late stage to enter upon even the preliminary steps of such a Bill. He hoped the honorable member would see fit to give them some information. His present course was entirely at variance with what the honorable

gentleman always advocated—namely, that openness and the disclosure of all information with respect to public business should characterize men in public positions.

Mr. SHEEHAN submitted that the course taken by the honorable member for the Thames was entirely in accordance with the practice of the House. In many cases, when Bills were brought before the House for the first time they had not been touched with the pen. The short title was simply written on a piece of paper. He did not see why the honorable gentleman should be called upon to depart from the usual practice. The Bill would be in print in a few days, and there would be plenty of time to explain the object of the measure when it came on for the second reading.

Sir G. GREY said his reply was this: He thought he should be allowed to have the Bill printed before its second reading, and let it get before the country. He ought not to be compelled to make a short statement respecting what he regarded as an important measure. His proceeding was a perfectly plain one. He finished drafting the Bill to-day, and it was ready to be put in the hands of the Printer. It was manifestly unfair to allow him to have the Bill read a first time, and then require him to make a statement on a most important measure, without the printed Bill being before the House. He had never heard of such a proposition. It was unusual and unconstitutional to refuse to allow a member to have a Bill, which had been read a first time, laid before the House. He understood that he had pursued the proper course; and he would certainly not now attempt to damage the Bill by making a verbal statement to a thin House, after which members would rush in and vote on something they had never seen, and which the country had never seen. He had a right to get the Bill printed and laid before the House and the country. Then, when some consideration had been bestowed upon it, let the House reject it if they thought proper. Such a hostile line of proceeding as this was he had never heard of before. The honorable member for Waikouaiti, in a most malicious manner, said that he (Sir G. Grey) had not made up his mind as to the Bill. That was a most unfair and discourteous statement, and was like those which always came from him. The Bill was drafted and complete. He would stand upon his right, and ask the House to support him in laying the Bill before the House and the country. Let the House then decide what they would do with it.

Bill ordered to be read a second time on Wednesday next.

GOLD-MINING.

Mr. FINN moved, That this House will, on Wednesday next, resolve itself into Committee of the Whole to consider of a respectful address to be presented to the Governor, praying that His Excellency will cause the sum of £100,000 to be placed on the estimates for the purpose of encouraging gold-mining industries within the Colony of New Zealand.

Question put, "That the motion be agreed to;"

upon which a division was called for, with the following result :—

Ayes	...	...	...	26
Noes	...	...	...	32
Majority against				6

AYES.

Mr. Acton Adams,	Mr. Reid,
Mr. Barron,	Mr. Sheehan,
Mr. Beetham,	Mr. Shephard,
Mr. De Lautour,	Mr. Shrimski,
Mr. J. B. Fisher,	Mr. Speight,
Mr. George,	Mr. Stewart,
Mr. Gisborne,	Mr. Tainui,
Sir G. Grey,	Mr. Thomson,
Major Harris,	Mr. Tomoana,
Mr. London,	Mr. Whitaker.
Mr. Masters,	
Mr. McCaughan,	<i>Tellers.</i>
Mr. Montgomery,	Mr. Finn,
Mr. Reeves,	Mr. Seddon.

NOES.

Mr. Allwright,	Mr. Ormond,
Mr. Andrews,	Mr. Pitt,
Major Atkinson,	Mr. Richmond,
Mr. Bain,	Mr. Richardson,
Mr. Ballance,	Mr. Rolleston,
Mr. Bowen,	Mr. Saunders,
Mr. Bryce,	Mr. Studholme,
Captain Colbeck,	Mr. Swanson,
Mr. Dick,	Colonel Trimble,
Mr. Gibbs,	Mr. Turnbull,
Mr. Hall,	Dr. Wallis,
Mr. W. J. Hurst,	Major Willis,
Mr. Hursthouse,	Mr. Reader Wood.
Mr. Mason,	
Mr. McLean,	<i>Tellers.</i>
Mr. Murray,	Mr. Sutton,
Mr. Oliver,	Mr. Wakefield.

The motion was consequently negatived.

D. MCCREADY.

Mr. DE LAUTOUR, in moving the motion standing in his name, said he would be able in a very brief space of time to explain the principal facts set forth in the petition. The petitioner had been in possession, by consent of the runholder, of an area of land, at Kyeburn Diggings, fifty acres in extent, for a period of eight or nine years. He had cropped it extensively, and had also used the land in connection with a coal mine, which was in his occupation. He was not coming before the House in the position of a person begging for an area of land for the sustenance of himself and his family, as he was a man of substantial position. He had been a thoroughly good colonist, and had developed a large coal field, which had been of very great benefit to the district. He had been for many years anxious to obtain a title to that piece of land, not so much for its inherent value as to have a homestead which he could call his own freehold. The late Government recognized this so fully that the department rather went out of its way to lead him to believe that he would obtain a title under the homestead clause of the Mines Act. There was no

district at that time declared a special district, as was requisite in the terms of the Act; and to suit the circumstances of the individual a large district was proclaimed in order that the petitioner might have an opportunity of applying for a title under the homestead clause. In this he thought the Government were to blame, because it was not considered that, in meeting the case of the individual, other substantial interests might possibly be prejudicially affected; and the result of the Proclamation was to induce considerable alarm in the district over which it would have effect. It was fair to the Government to say that the petitioner was not told positively that he would obtain his title, but merely that he would be placed in the position of obtaining such a title, running the risk of objections that might be offered. However, the practice then followed of proclaiming a large district to meet the circumstances of one case was, he thought, a practice which should be very reluctantly followed by any Government. The Committee were satisfied, from the evidence they had taken, that it was not desirable that the district proclaimed should remain a district for the granting of homesteads under clause 66 of the Mines Act; but a difficulty was met with from the fact that, although there was power to proclaim special districts, by some oversight it did not appear that any such Proclamation could be cancelled: vested rights having once accrued, they could not, under the existing law, be taken away. To remedy this, a recommendation was made in the report that a provision should be introduced into the Mines Act Amendment Bill now before Parliament, giving the Governor power from time to time to revoke Proclamations made under this clause, as was usual in the case of Proclamations under other clauses of the same Act. Now, with regard to the petitioner, while the Committee thought that he should not be allowed to take advantage of the homestead clause, and that the Government were right in subsequently refusing to grant his application, although recommended by the Warden, yet they considered that the petitioner was entitled to consideration; and the evidence showed that the feeling in the district on the part of the miners was not against his getting the land, but against his doing so under such conditions as to exclude the land in all circumstances from the operation of the mining laws. The Committee ascertained from the evidence that the miners had no objection to allowing the petitioner to farm as much land as he could occupy in that district, and to get a title to the land so occupied as against all others except the miners, who might require it from time to time for *bona fide* mining purposes; and the Committee were of opinion that, in order that such an arrangement might be made as would give a substantial title to the petitioner, the district—erroneously so proclaimed, as the Committee thought—should be dealt with as a mining reserve; and then clause 59 of the Mines Act would enable any portion of such reserve to be leased for agricultural purposes to any applicant who would pay the usual rent in the case of agricultural leases, and who would obtain a temporary license to

Mr. Finn

occupy, which would be valid as against all others except the miner, who, if he required any portion of land so licensed, could apply for it, and give six months' notice, in which case the land would have to be relinquished without compensation. The provision in the Act was one under which large areas, that had been reserved from a fear that they might be required for mining purposes, could be farmed; and large areas had been so farmed; and the titles in most cases were substantially good for all purposes of agricultural occupation. He thought the House might safely agree to the report of the Committee. It was fair to the petitioner, and at the same time protected the mining interests; and he thought it would allay the feeling of jealousy between the classes which was too apt to engender itself round any discussion which had been so hotly contested in Courts, by petition, and before the Government, as had this case.

Motion made, and question proposed, "That the recommendation contained in the report of the Gold Fields Committee upon the petition of David McCready, of Kyebern Diggings, Otago, be agreed to."—(*Mr. De Lautour.*)

Mr. OLIVER said the Government had no objection at all to the adoption of this report.

Motion agreed to.

CIVIL SERVICE.

Mr. MURRAY, in moving the motion standing in his name, said that at that late period of the session it would be impossible to give it that consideration which its importance demanded, and he purposed simply to move it, in order to enable one or two honorable members to express their opinions, with the view of the proposal being given practical effect to next session. He gave notice of this motion very early in the session, but, owing to the peculiar mode in which their business was conducted, it had not come up until a period when it was too late to deal with it satisfactorily. It must be apparent, to honorable members who had been in the House for some time, that it was utterly impossible for the House to effect any radical change in the direction of an economical administration of the public affairs of the colony. Repeated attempts had been made by honorable members, with the best intentions, to reduce the estimates; but those attempts had only resulted in a great waste of time, in no practical good, and in very little saving of public money. The necessity for retrenchment was admitted by all; but he feared that retrenchment only would result in impairing the efficiency of the service. Retrenchment must be preceded by reorganization, and he felt that it was impossible for Ministers, tied up as they were during the session to their official duties in Parliament, and during the recess to their duties in connection with their respective departments, to be able to take that comprehensive grasp of the whole question which was requisite in order to reorganize the Civil Service of the country upon a comprehensive and systematic basis. Moreover, Ministers, in the performance of their official duties, were brought into intimate contact with the members of the Civil Service, and they very soon became habitu-

ated to the air of officialdom, and began to regard it almost as a crime to do anything which would have the effect of depriving one of their subordinates of his means of livelihood. He wished to have a tribunal appointed which would have no object but to secure efficiency of administration, and which would do its duty rigidly, and without either fear or favour. It would relieve Ministers from responsibility, and the country from enormous expense.

Motion made, and question proposed, "That a Commission of five persons be elected by this House, by ballot, to investigate the manner in which the public services of this colony are conducted, to summon witnesses, and to take evidence upon oath; and to report to Parliament at the next session how, in their opinion, the administrative and departmental business of the colony may be so systematically organized and conducted as to secure efficiency and economy suited to the requirements and means of the colony."—(*Mr. Murray.*)

Mr. SHEEHAN would suggest the advisability of withdrawing this motion, as it would not be possible for them, at the present stage of public business, to deal properly with a matter of so much importance. Although, if the motion went to the vote in its present shape, he might not be able to support it, yet he thought it contained a germ which might be made the basis of a reorganization of the public service. This was a task which Ministers could not undertake themselves; and the House had failed to accomplish it, and always would fail, because every man in the House had friends in the Government service.—(No.)—He undertook to say there was not a man in the House who had not got a relative or friend in the public service. This was evident when any proposal was made to reduce a particular salary. It was at once found then that what appeared to be a desirable reduction in the public service became a most important public question with one or two members of the House. It was simply a case of human nature. He was of opinion that proposals to establish anything like a cast-iron rule, such as the proposal to reduce all salaries over £200 by so much per cent., were unfair, inasmuch as they made no distinction between the value of the services of different officers. What was required was, that the hands of the House should be strengthened by a Commission of this kind, which would lay down, for the first time, some binding rules under which Ministers might fairly control the Civil Service expenditure. However, considering the position of the business of the House, the honorable gentleman would do well to withdraw the resolution.

Mr. SHRIMSKI thought the motion was a very proper one. He had watched the Civil Service of this country with great attention, and he had found in regard to it that "kissing went by favour." There were gentlemen appointed to the service who had been no time in the colony, but who brought out with them letters showing that they were highly connected, and on the strength of which they were immediately recommended for employment, and received high

salaries; while there were young men whose parents had shed their blood for the country's good, who could not find employment. He thought some system should be adopted to prevent that sort of thing, and under which people who had a stake in the country and had assisted in making it what it was might have a chance of obtaining employment in the Civil Service.

Mr. REID thought this was a very important question; and before the motion was withdrawn he would like to say a few words with regard to it. It was quite evident to his mind that there was great dissatisfaction in the public service of the colony at the present time, not only at headquarters, but in the outlying districts of both Islands; and, if this proposal had been brought on at an earlier period of the session, he believed it would have been productive of very great good. It was complained that promotion in the service was not the result of merit. While he was of opinion that promotion ought not to be given entirely according to length of service, yet he thought more consideration ought to be given to officers in the outlying districts than was the case at the present time. In these districts the Civil servants had not the same advantages as were possessed by those employed at headquarters. They had not the same opportunities of representing their claims, either to members of the Government or to the heads of the departments; and the consequence was, that very efficient officers remained for a number of years without receiving any promotion at all. He could quote three or four instances in which most deserving and efficient officers connected with the Resident Magistrate's Courts and Waste Lands Boards had received neither promotion nor increase of salary for the last ten or twelve years, and had great difficulty in maintaining themselves and their families. He thought the whole Service should be seen to, and placed upon a better footing—a footing similar to that of the English Civil Service, or of the Bank of England, or any other of the large commercial institutions in the Home-country, whereby any officer once entering the Government service might rely upon promotion after a certain number of years. He regretted that the motion had come on so late in the session, and he hoped it would be brought up again next session.

Mr. HALL said he was glad the honorable gentleman announced his intention not to press the motion at this period of the session, for it could not receive the full consideration which its importance demanded. He believed that the best way to secure an efficient as well as an economical Civil Service was to choose their Ministers well—not to choose them because they happened to propound popular political theories, but because they were painstaking administrators. If the House neglected to do that, they would not have an economical and efficient Service, whatever other steps they might take. Twelve or thirteen years ago a Commission was appointed to inquire into the organization of the Civil Service of the colony, and it made a considerable number of recommendations, some of which were carried out. The time might have

come when the appointment of such a Commission was again desirable; but some further consideration would have to be given to the subject, both by the House and by the Government, before they took any practical steps to give effect to such a resolution. The outcry about the enormous expense of the Civil Service, so far as the Civil servants themselves were concerned, was unreasonable and unjust. The Civil Service, as a rule, was composed of valuable and efficient officers, who were by no means too highly paid; but the truth was, that the Civil Service cost a great deal because of the excessive demands of the people themselves. They lived in scattered communities, and each community required that there should be placed in its midst advantages which were not required by the larger communities of older countries. Resident Magistrates' Courts, post offices, and telegraph offices were multiplied to threefold and fourfold what they were at Home; and, so long as that was the case, the cost of the Civil Service must be large in proportion to our numbers. Notably was that the case with the Telegraph Department, in which only one-third of the offices paid their expenses. If honorable members would read the annual report of the department, they would see some remarkable revelations. Offices which were only bringing in £25 a year were costing £100 a year. There were other offices which were maintained at a loss, but which were kept up for the benefit of the system. He hoped honorable members, when they returned to their homes, would remind their constituents that this constant demand for the extension of departments was the main cause of the large cost of the Civil Service. Of course, if the constituencies insisted that they had a right to these conveniences, they must be given to understand that they would have to pay for them. He hoped the honorable gentleman would be satisfied with the discussion that had taken place. He might rest assured that in the meantime the Government would economize wherever possible.

Mr. TURNBULL hoped the honorable gentleman would press the motion to a division, for there was something radically wrong in the system of promotion in the Civil Service. In some of the departments those who went in as cadets were now over the heads of those who taught them. This state of things was by no means satisfactory. Some information ought to be obtained as to the manner in which these departments were conducted; and if the Commission were appointed he was sure it would result in great benefit. It would result, he thought, in promotion according to merit, and not according to the will of under secretaries. That was a state of things which ought not to be permitted to exist.

Mr. SPEIGHT said there was no doubt that inquiry was very much needed. It was pleasing to have the assurance of the Premier that the Civil Service was such an excellent institution as he spoke of. He was satisfied that the Premier spoke truthfully with regard to a large portion of the Civil servants; but still there was no doubt that the Civil Service was growing into a regular

Mr. Shrimski

protective body. They kept out those they did not want in, and they put out those they did not wish to remain in the Service. Honorable members who had been on Committees must have noticed the large number of discharged Civil servants there were who petitioned, and of those who had not received the promotion they thought they ought to have got. An examination of the petitions presented to the House would prove conclusively that there was not that system of oversight in the departments which there ought to be. There was not that system under which a man could get that justice which he ought to get from those above him. They would also observe this curious fact: that, when an inquiry was demanded by a Civil servant, the Board was generally nominated by the man against whom he had a grievance. It might be said that that was done under the Civil Service Act; but, if that was the case, all he could say was, that there was an anomaly in the Act which ought to be rectified. The Civil servants were not in the position they ought to be in. He must say that in the origination of the Service there seemed to have been men at its head who were anything but fit to be there, who seemed to have been pitchforked into positions simply on account of their birth and relationship, and, having got there, there was no getting them out. He hoped there would be an inquiry, not only in the interests of the colony, but as a matter of justice to those who were already in the Service.

Mr. LUNDON thought it was not at all a good sign to see so many young men entering the Service. If he had a son he would rather see him growing potatoes than in a position in the Government Buildings. The sons of old colonists, who were acquainted with the climate and the requirements of the colony, would do much better on farms, leaving those who came out from Home with long pedigrees to go into the Buildings.

Mr. MACANDREW thought the House was much indebted to the honorable member for Bruce for having called attention to the matter. At the same time, he agreed with what had been said by the Premier. He did not think any good result would come from the appointment of a Commission. The real fault lay with the House. As far as he could see, the only plan by which they could put the Service in a proper condition would be to give the Government sufficient time to consider the matter and deal with it thoroughly. It would take Ministers many months to go through all the details of their departments; and until that was done they need expect no reform.

Mr. MURRAY said he was much gratified by the expression of opinion on the part of the House, and would ask leave to withdraw the motion, in the hope that it would be brought up again next session, either by himself or by some other honorable member.

Motion, by leave, withdrawn.

H. W. FARNALL.

Captain COLBECK, in moving the motion standing in his name, said Mr. Farnall had been sent Home as an emigration agent, and his services

had been dispensed with in a very summary manner, without any satisfactory reasons being given. Mr. Farnall's services had been of great value to the colony, one of the results of his efforts being the establishment of the Vesey Stewart special settlement; but those services had never been properly recognized. He (Captain Colbeck) knew very little of the details of the case, and other honorable members no doubt were in the same position; but, if this petition were printed, it would give information on the subject. He did not think the House was inclined to treat public servants with cruelty and injustice. He hoped the resolution would be agreed to.

Motion made, and question proposed, "That the petition of Henry W. Farnall be printed."—(Captain Colbeck.)

Mr. TURNBULL was sorry the Chairman of the Public Petitions Committee was not present in his place, because no doubt he could give very valuable information on the subject. In the session before last it was decided that a certain sum should be offered to Mr. Farnall as compensation; and that sum was upon the estimates. Beyond that he knew nothing of the matter; but he hoped the motion would be postponed.

Mr. MACANDREW thought there was no necessity for postponing the motion, because it would be a useless expense to print the petition.

Mr. RICHARDSON said that the Chairman of the Public Petitions Committee, if he were present, could only inform the House that the petition had been printed over and over again, and had been in the hands of honorable members several times.

Mr. DE LAUTOUR said the Printing Committee were endeavouring to reduce expenditure by lessening the bulk of the Appendices to the Journals of the House, and he hoped the House would not frustrate the efforts of the Committee by ordering the printing of documents where it was unnecessary.

Motion, by leave, withdrawn.

RODNEY ROADS.

Mr. GEORGE, in moving the motion standing in his name, said, as had been pointed out in answer to a motion brought forward by the honorable member for the Bay of Islands, there was no money in the Treasury to meet the purposes indicated in the resolution, but the position of the County of Rodney was this: The Council was simply without funds. Last year the Government subsidy amounted to only about £420, and it was absolutely impossible for the County Council to construct roads with such a small amount of funds. As there was no money in the Treasury, he thought the House might grant land to the county. There was no true main road north of Auckland, and, although there was a large traffic so far as stock was concerned, three or four thousand head of cattle annually being brought down to supply the Auckland market, after Port Albert was reached a circuit of thirty-five miles had to be made in order to reach Helensville, whereas a direct road might be made, at a very small expense, which would shorten the distance by over twenty miles. The land he would ask the House

to set apart for this purpose was a block through which this road would pass; and, if the House agreed to the resolution, the land would be opened up for sale, and would not only recoup to the County Council the cost of making this particular road, but would also leave a margin for the construction of one or two other roads in the Rodney County. He sincerely hoped the House would agree to the resolution.

Motion made, and question proposed, "That this House will, on Wednesday next, resolve itself into a Committee of the Whole to consider of an address to His Excellency the Governor, praying that twenty thousand acres of land in the Rodney County be set aside for the purpose of constructing roads in the said county."—(*Mr. George.*)

Mr. ROLLESTON hoped the honorable member would content himself with having stated the case of this district. The House would shortly be placed in possession of the proposals of the Government on the subject of opening up land for sale and settlement, and no good purpose could be served by proceeding with the motion now.

Mr. SEDDON should move, as an amendment, That all the words after the second "that" be omitted, for the purpose of inserting the following words: "endowments of land may be granted to the various County Councils." He thought that would be the best mode of getting over the present difficulty in regard to the revenue of local bodies, and he hoped the Government would accept his amendment. Municipal Corporations were entitled to a hundred acres of land within, and to two thousand acres outside of, their boroughs, and he did not see why the counties should not receive similar assistance. At any rate, the Government had promised a comprehensive measure on the subject; and, if the House went into Committee next Wednesday afternoon to discuss this subject, he felt sure the discussion would materially assist the Government. The principle indicated was applied to Harbour Boards and educational bodies, and might well be extended to the counties, especially if the subsidies were to be withdrawn.

Mr. MACANDREW was disposed to agree with the honorable member for Hokitika. He did not think the Land Fund could be better applied than in making public works: the Land Fund ought to go back to the land. The amendment was a step in the right direction; but general action must be taken. There should be no singling out of special cases.

Mr. PYKE entirely coincided with the amendment, but he could not have voted for the exceptional resolution proposed by the honorable member for Rodney. He might remind the House that a motion similar in terms to this amendment was passed by the House a short time ago at the instance of the honorable member for Bruce. It was carried on the voices, so strongly was the House in favour of it; but the next session, when the Government were asked the question whether they intended to give effect to it, they said they did not. It was of no use for the House to pass such motions if the Government would not give effect to them, and he hoped if this amendment were carried the Government

would accept it as an instruction. He was sorry to say it was the Government of which the honorable member for Port Chalmers was a member which refused to give effect to the motion of the honorable member for Bruce. He was, however, glad to see that the honorable member was a convert to a newer and truer faith. It was pleasant to hear anything from the honorable gentleman in favour of aiding these local bodies, and it was to be hoped the statement which he had just made indicated a desire to forget the old and dead system of Provincialism, and to make the present system more workable, especially as members in another place interpolated into Acts relating to this subject words preventing the taxation of themselves, and disallowing the borrowing of money for local public works.

Mr. LUNDON should support the motion, and could not understand why the Government should oppose it, seeing that they had assisted the honorable member for Wairau to get a piece of land in his district for making a road, and had also assisted the honorable member for Invercargill to get 10,000 acres of land for the support of a pilot. The late Minister for Public Works said this giving of land should be general. All he could say was, that he wished the spending of the public-works money had been general, for none of that generality had gone in the direction of his district since the system was started, in 1871. It was a most extraordinary thing that now, when everything they could beg, borrow, or steal had been expended in improving their own districts, these honorable gentlemen were proposing to give land to all districts. He had tried, on a previous day, to get some land given for making roads and bridges in his district, because he did not see much chance of getting any money, and he did not think the land could be devoted to any better purpose for the country at present or for future generations than to the opening-up of the interior. If the country was not soon opened up the colony must suffer greatly, if not become bankrupt, because the large centres were getting very thickly populated, and the country districts would not be able to provide food for them. In olden times this colony was able to export wheat to Sydney, and potatoes to California; but now it was just the reverse, and those places were sending these articles to us. There was one feature in the present arrangement for the endowment of municipalities of which he did not at all approve. For instance, there was the Corporation of Parnell, which had an endowment of 2,000 acres in the County of Hokianga. The Corporation of Onehunga had refused an endowment of 2,000 acres in the same county, and the Auckland Corporation had advertised for lease 2,000 acres there, too. But when the County of Hokianga asked for leave to cut down a few trees on their land—on which subject he had had an interview with the Minister of Lands on a previous day—that gentleman told him that it would be illegal for the County Council to cut down the trees, and of course the Government was not going to do anything illegal. If the House would go into this matter on that day week, the resolution should have his support.

Mr. George

Mr. MURRAY had not remembered that it was he who had been the means of carrying the motion on the same subject on a former occasion, but the principle certainly had his support, and he had drawn up an amendment somewhat similar to that of the honorable member for Hokitika, before that gentleman proposed his. The question was somewhat wider than honorable members appeared to think, for the opening-up of Crown lands for sale was a question that deserved the most serious consideration on the part of the House. Whether the mode now proposed was the best was a debatable question. His idea was that all Crown lands, like private property, should be liable to be rated, and that the rate so raised should be devoted towards opening up those lands. Then the freeholders in the counties would not be taxed for making roads to render Crown lands saleable, which were the property of the colony as a whole. He would, however, accept this amendment as a step in the right direction, and as a protest against the system of exempting Crown lands from rates.

Mr. GEORGE would accept the amendment of the honorable member for the Bay of Islands with pleasure. He had not the least objection to every county sharing in these endowments with his own. The fact was that if help was not given to some counties they could not continue to construct roads, for they had not sufficient money even to keep the roads which were now formed in repair.

Mr. HALL did not think the passing of this amendment, or of the resolution, would lead to any practical result, and they would only be needlessly encumbering the Order Paper by consenting to its postponement. This was not by any means the first time that this question of providing for local works by endowments of land had been brought before Parliament. The principle was embodied in "The Municipal Corporations Act, 1876," and, after two years' trial of the system, Parliament decided that, while endowments which had already been promised should be given, it was inexpedient to carry the system further. He was satisfied that the same would be the case if land endowments were given to County Councils and Road Boards—for, if they were given to County Councils, they must also be given to Road Boards in those parts of the colony where the practical work of opening up the country was carried on by those Boards. He very much doubted, too, whether this would be an economical system. He did not think the handing over of large areas of land to be dealt with by local bodies would be expedient or economical, for those bodies might be inclined to get rid of the land at almost any price, in order to obtain funds to meet their current necessities. In view of the fact that the Government had said they must consider during the recess, and come to the House next session with, a proposal for dealing with the whole question of the construction of local works, he submitted it was inopportune to press this motion.

Major HARRIS thought the House should postpone the consideration of this question until after the Public Works Statement was delivered,

as honorable members might then find that matters were so arranged that they would get all they wanted, and then there would be no necessity for this resolution. If, after seeing the Public Works Statement, they were not satisfied, the question could be brought forward again, and they could insist upon justice being done where it was required. In the district which he had the honor to represent, the people required something like £10,000, and if they could not get it in cash they would be content to take land to that amount. They expected either the one or the other; and, if the Public Works Statement did not provide it, he would do his utmost to obtain it in some other way. He would support the amendment, but would prefer to see the whole question postponed until after the Public Works Statement was delivered.

Mr. TURNBULL hoped the honorable member for Rodney would withdraw his motion. For his part, he thought it was very presumptuous of the honorable gentleman to bring forward the resolution at all, as he must be quite aware that all this business had been arranged by the honorable member for Auckland City West when he went over to the Government party.

Mr. SHEEHAN thought the debate should be adjourned until after the delivery of the Public Works Statement. He might tell the mover of the resolution that the chances were ninety-nine out of a hundred that he would vote against him, because he looked upon the mode of dealing with the public estate by handing it over to local bodies as vicious in the extreme. Two years ago the House deliberately expressed its intention not to give up the public estate in this way—not to make these so-called substantial endowments. The fact was that, if the House once began to give up the public estate in order to relieve the counties—the claims of which he fully admitted—it was impossible to say where it would stop. If the County of Rodney got this endowment, sixteen other counties would put in their claims, and then would come Highway Boards, Road Boards, Corporations, and all other local bodies, making claims which it would be hard to resist. He thought the debate should be adjourned until after the Public Works Statement came down, unless the honorable gentleman would consent to withdraw his motion altogether.

Debate adjourned.

Mr. SHEEHAN moved, That the debate be adjourned to that day fortnight.

Mr. LONDON hoped the debate would only be adjourned to that day week, when it could be further adjourned if the Public Works Statement had not been brought down. It was astonishing to him how members who came from country districts could help the Government in a system of carrying on works in towns only. Those towns had got large endowments, upon which they had been living for years, and which had been taken entirely from the country districts.

Mr. SHEEHAN could not consent to adjourn the debate for a shorter time than a fortnight, as the subject was of so much importance that it required full consideration. So far as he was personally concerned, he might say that he was the

member who brought before the House the question of the endowment of both town and country districts. He took a division on the question, and had only fourteen members to back him. All he wanted now was, as the Cornish parson said, that they should all start fair.

Debate adjourned to that day fortnight.

A. STITT.

Mr. J. B. FISHER, in moving the motion standing in his name, said that in 1876 and 1877 Mr. Stitt made a claim for £800, awarded, upon the recommendation of the Petitions Committee, for work done upon a contract with the Government. It was decided that he had a strong moral claim for £800, which was the amount assessed by the Government Engineer. The House agreed to grant £800, and that sum was placed on the estimates. The Government, for some unexplained reason, only paid him £620 out of the vote. In 1878 he sent another petition to the House, claiming the balance of £180; and the House again voted him that amount. The sum was placed on the estimates, but it was never paid. He hoped the House would confirm the resolution already arrived at on the subject.

Motion made, and question proposed, "That this House will, to-morrow, resolve itself into a Committee of the Whole to consider the following resolution—namely, That a respectful address be presented to His Excellency the Governor, praying that a sum of £180 be placed upon the supplementary estimates, in order to give full effect to the recommendation of the Public Petitions Committee upon the petitions of Alexander Stitt, presented to this House in 1877 and 1878; and also to the votes of this House, Item 57, Class VI., of 'The Public Works Appropriation Act, 1877,' and Item 77, Class IX., of 'The Public Works Appropriation Act, 1878.'"—(Mr. J. B. Fisher.)

Mr. HALL was sorry he could not agree with the resolution. Action in this matter was taken by their predecessors. He had gone over the papers, and he thought they would not be justified in paying this sum of £180. Mr. Stitt was a road contractor who could not carry out his contract—owing to circumstances beyond his control, perhaps—and the Government admitted, after some considerable deliberation, that, as the honorable gentleman had said, the petitioner had a strong moral claim for consideration. The Public Petitions Committee, without, as far as he could see, going into the details of the question, affirmed that the petitioner's claim was a fair one. When the matter was considered carefully by the Government, they found that, even admitting he had a right to be paid for the work done, that work did not represent the amount required to warrant £800 being paid. Measurement only gave £620 worth. The opinion of Mr. Stout, who was then Attorney-General, was taken, and with the permission of the House he would read that opinion, which was as follows:—

"*Re Stitt's Claim.*—I have perused the papers herein, and it appears that unseen difficulties in slips were encountered by Mr. Stitt. I have also conferred with Mr. Carruthers, and he thinks that

Mr. Sheehan

the case is a special one. I observe, however, that the specification of the Government was—for Contract No. 2, 146 chains; for Contract No. 4, 127 chains; while the actual or true measurement was only 128 and 119 chains respectively. One contractor writes that, had he known the true measurement, he would have tendered £180 below the lowest tenderer. As the Government is, therefore, giving in this case a sum not legally due, and as, had the measurement of the work done been in excess of the specifications instead of being less, the contractor would have made a claim, I advise that Mr. Stitt be paid £620—that is, deducting £180 from the £800, the assessed damage from slips according to Mr. Dobson.—ROBERT STOUT.—16th March, 1878."

Upon that opinion the Government paid Stitt £620. It was true that last session £180 was put on the estimates, but so doing was admittedly an inadvertence on the part of the Public Works Department. It was not intended that the sum should be paid. He hoped that the House would not reverse the action of the Government, which had only been taken in protection of the public interest. This man had received more than his legal claim; and, if the honorable member pressed his motion, he (Mr. Hall) trusted the House would not agree to it.

Mr. RICHARDSON was very much pleased with the position taken up by the Government. He had on several occasions addressed the House in connection with this business, and endeavoured to show the House that it was perfectly clear this person had been paid for all the work he had done. The difficulties he had encountered were foreseen, and a larger sum of money was given to him by the Public Works Department than would otherwise have been given, in order to cover all the contingencies which had occurred. The Premier was not quite correct in stating that the Government of the day consented to the motion for paying £800; because they did everything they could to oppose it. The House, however, took a lenient view of the case, and ordered that the money should be paid.

Mr. J. B. FISHER said he would withdraw the motion.

Motion, by leave, withdrawn.

CIVIL SERVANTS' SALARIES.

Mr. ANDREWS, in moving the motion standing in his name, would not detain the House with many remarks upon it. He had brought the matter forward in all seriousness, as he felt there was a real necessity for something being done to reduce the expense of governing the country. The Government having frequently pledged themselves to effect retrenchment, and the view of the House on the subject having been clearly ascertained, he thought it would be unwise on his part to ask the House to pass a hard-and-fast rule. In many cases the Civil servants were greatly underpaid, but he also believed that in other cases they were considerably overpaid. He had in his mind a number of cases—in one a mere boy was receiving £250 a year, while men who had been some time in the Service did not receive over £200 a year. There was no rule that could be

fairly applied to the matter, but he was prepared to support the Government in every effort they made in the direction of retrenchment. After the expression of opinion given by the House, he had no doubt the Government would consider the matter. There was no necessity for keeping up the present expenditure. As the estimates were only to be passed for a certain time, and as a great portion of that time would have expired before anything practical could be done, he would leave it to the Government to come down next session with new estimates, when he believed the House would have a clear expression of what were the intentions of the Government as to carrying out economy for the benefit of the country. Under these circumstances he would ask leave to withdraw the motion.

Motion made, and question proposed, "That, in the opinion of this House, all salaries to Civil servants amounting to £200 and over per annum be reduced by 5 per cent., and that the salaries of Ministers and members' honorarium be reduced by 10 per cent."—(*Mr. Andrews.*)

Mr. TURNBULL thought there might be a considerable saving made in the present expenditure. He thought the Civil servants ought to submit to some reduction in their incomes. The people from whom the revenue was raised had to undergo very great reductions. They had now come to such a state in the colony that from one end of it to the other the wages would have to be reduced. He would like to see reductions made from the Ministers downwards; and he would be prepared to submit to a reduction of the honorarium. This was the proper time to make reductions. As the honorable member wished to withdraw the motion, he would not express any further opinion upon it.

Mr. GEORGE said they had been endeavouring to reduce the estimates, but, he must say, with very little success. He thought the number of Civil servants was greatly in excess of what was really necessary, and might be considerably reduced. One good man might be got to take the place of two incompetent men, and do the same work quite as efficiently; and would be entitled to a higher salary. He would move, as an amendment, the omission of all the words after the word "House," with the view of inserting the following words: "the number of Civil servants should be reduced by 10 per cent."

Mr. ACTON ADAMS thought the Government should come down with some proposal with regard to the honorarium. Members of the Upper House might be content with one honorarium for the year, and the members of this House should be satisfied with half the usual honorarium for the second session.

Mr. SEDDON thought the proposal of the honorable member for Christchurch City (*Mr. Andrews*) could not be carried out without doing an actual injustice to some portions of the Civil Service, and especially to the officials in the Telegraph Department. As to the honorarium, he would be quite satisfied if the House fixed such a sum as it considered fair to pay those members who came there at great sacrifice to serve the country. The amendment of the honorable

member for Rodney struck at the root of the evil, as there were too many Civil servants, and the Service was growing from year to year. They should reduce the number, and pay good men liberal salaries. By that means the work would be better done.

The hour of half-past five o'clock having arrived, Mr. SPEAKER left the chair.

HOUSE RESUMED.

Mr. SPEAKER resumed the chair at half-past seven o'clock.

NELSON SOUTH-WEST GOLD FIELDS.

The House went into Committee of the Whole to consider the question, That this House doth concur in the report of the Gold Fields Committee upon the petition of Richard Reeves and others, of Charleston and Westport, Nelson South-west Gold Fields; and recommends the Government to make provision accordingly.

Mr. HALL was sorry the Government felt bound to oppose this motion; and he trusted the Committee would pause before affirming it, especially when it learned the amount of expenditure involved. It was true it was recommended by the Gold Fields Committee; but, if honorable members would refer to the proceedings of that Committee, they would see that the only evidence taken was that of the honorable member who moved this resolution. He gathered from the papers in connection with the subject that a sum of about £6,000 had already been spent upon this water-race. It was stated that its completion would afford employment to a considerable number of miners, and would bring into successful working a considerable area of ground; but he thought the Committee ought to have had further evidence than that of the promoter of this resolution before they went so far as to recommend the expenditure of such a sum of public money. He ventured to think the Committee ought to have had the evidence of officers of the department, who would have been able to give very much fuller and more valuable information as to the benefits likely to accrue, before proceeding to give a preference to this water-race over many others for which application was now being made to the Government. It was true there was pleaded an agreement between the late Government and the Buller County Council. He found it stated in the evidence of the honorable member that, when Sir George Grey, Mr. Macandrew, and other members of the Ministry were in Westport in 1877, they promised that when the two-million loan was raised they would take care this water-race should be one of the first works proceeded with. Then there was a letter from the Under Secretary for Public Works to the Chairman of the Buller County Council, as follows:—

"Public Works Office,

"Wellington, 30th August, 1878.

"SIR,—Referring to your recent interview with the Hon. the Minister for Public Works relative to the construction of the Four-Mile Water-race, I am directed by the Minister to inform you that the Government agree to comply with your re-

quest, and that the vote of last year will be renewed: the work to be proceeded with on condition that interest on one-half the cost of construction shall be paid by the Buller County, and that any profits which may accrue from the race, over and above defraying the cost of maintenance and management, shall be applied to recouping the outlay incurred by the colony. Thereafter such profit shall become county revenue.—I have, &c.,

“JOHN KNOWLES,

“Under Secretary for Public Works.

“The Chairman, Buller County.”

Those were all the facts the House had before it. It had been pleaded that this was a very useful work, that would employ a very considerable number of miners; but what number was not stated. There was absolutely no evidence before the Committee except that of the honorable gentleman who asked the House to pass this resolution. He (Mr. Hall) ventured to express a hope that the House would not commit itself to £11,000 being spent on this particular water-race, when there were applications for a number of other works as to which the House had not been asked to express an opinion. It was only right, fair, prudent, and reasonable that the Public Works Statement should be made before the House affirmed the desirability of money being spent on any particular work. If the House decided which particular water-races should be gone on with, they would be taking upon themselves the administrative functions of the Government. It was for the House to decide, after full information was placed before it, whether it thought the proposals of the Government right and reasonable. If it did not think so, then it was for the House to decide that other works should be added to the list of those to be undertaken. But, looking to the very small amount of money left to be expended on the public works of the colony for the next eighteen months—looking, also, to the very small amount of evidence which this Committee had received—he trusted that the proposition of the honorable gentleman would not now be assented to.

Mr. MACANDREW was rather surprised to hear that the Gold Fields Committee did not take any evidence. It was not for want of materials, because there was abundance of evidence in the Public Works Office. There were bushels of papers in connection with this matter, and this work had been reported on again and again, and the whole of the facts connected with it had been very clearly brought out. He might say that he himself withstood the application for this work. This was the third time he had heard of this matter being brought before the Government. The interview referred to in the letter read by the Premier took place in Wellington. Several deputations came to Wellington with regard to this work, and it was not until the Government was forced to make itself master of the subject, and after a great many reports were produced, that that letter was written and the proposal agreed to. The Government was clearly pledged to this matter: he could not see how it was to be got rid of. If the loan was not raised, it would be impossible to enter into this contract.

Mr. Hall

The cost was much less than it was at first anticipated it would be. The Government were led to believe it would cost £25,000 at the least. Having purchased the Argyle Race, they found that the work could be accomplished for a much less sum than was originally anticipated. He hoped the Government would agree to this resolution. If the loan fell through, the Government could not go further; but certainly that was the only contingency which would justify the Government in repudiating this engagement, for it would be repudiation of an engagement entered into under the authority of law. They had a vote of the House for it for the last two years. Fifty thousand pounds was the vote which he thought was taken in 1878, and very little indeed of that had been expended. He did not suppose that more than £8,000 or £9,000 had been expended. He thought the late Government had kept perfectly within the limits of the appropriations of the House, and he did not see how the Government could get out of this without laying themselves open to a charge of committing a breach of faith with the parties interested. The Buller County Council was under an obligation to pay half the interest, which was to be deducted out of any subsidy coming to them. The other half was to be met out of the profits of the water-race. If honorable gentlemen took the trouble to read the Engineer's report, they would see that a very hopeful prospect had been held out with regard to those profits. He quite agreed with what had fallen from the Hon. the Premier with regard to the expenditure on water-races in general. They had spent probably three-quarters of a million on water-races, which would have been far better in the Treasury now; but this he took to be an exceptional case. They were all exceptional, no doubt; but this was peculiarly so, judging from the reports of experts as to what the profits would be. He trusted the Government would reconsider the question, and allow the resolution to be carried.

Mr. REEVES was rather surprised at the remarks made by the Premier with regard to this work, and from which it would appear that the honorable gentleman knew very little about the matter. This question had now been under consideration for several years. The work was recommended by the Government officers on the coast, including the Engineer in charge of the district, and it had also been recommended by the local bodies. It was a well-known fact that, if the race were constructed, it would give employment to a very large number of miners, and also that the £6,000 which had already been spent on the work would be utterly useless unless this additional £11,000 was spent. Under all the circumstances of the case the Government would only act with fairness and justice if they carried out the undertaking made by the late Government with the people of the district. There was no doubt, as the honorable member for Port Chalmers said, that the Buller County Council had agreed to pay half the interest on the expenditure, and that fact proved that they had thorough confidence in its utility. He believed that, in matters of this sort, if the Government

would see their way to accept the suggestions of local bodies, or even of the Gold Fields Committee, it would, in many instances, be far better than taking the dictum of their own officers. This work, if completed, would be one of the most beneficial that had been undertaken on the West Coast. He might mention that some of the races which had been made on the West Coast had turned out complete *fiascos*, in consequence of what he supposed was the want of knowledge on the part of the officials. He referred to works which had been undertaken, not by the late Government, but by their predecessors, and of which the Waimea Water-race was a conspicuous instance. That race was estimated to cost about £30,000, whereas its actual cost was about £130,000. There was also the Hochstetter's Lake Water-race, which was estimated to cost £40,000, but which had really cost three times that amount. All this had been owing to want of judgment, and not taking advantage of local knowledge. In spite, however, of the very large excess of expenditure over and above the original estimates, even those races were now paying. They were not only paying interest on the outlay, but giving employment to a large number of people who contributed to a great extent to the revenue of the colony. If it were not for these races the West Coast would be depopulated to a considerable extent. At the present time it contained a very large and prosperous population, which drew large supplies from the central district of Canterbury, and also contributed at the rate of about £8 or £9 per head to the general revenue of the country. In this particular instance, if the race were brought in it would give employment to about three hundred men at fair wages, and that number would represent about fifteen hundred souls who would be maintained in the district. Calculating the contributions to the Customs at about £8 per head, this would give a return of about £12,000 a year. He trusted the Premier would withdraw his opposition to the proposal, and was perfectly certain that, if the honorable gentleman considered the matter calmly and carefully, he would come to the conclusion that this was a work which was absolutely necessary.

Mr. J. B. FISHER deplored very much the position the Government had taken up in regard to this motion. Not to put too fine a point on it, it was hardly honorable to the country or honorable to the House that the Government should take upon itself, at the present stage of the Four-Mile Water-race scheme, to repudiate, first of all, the fact that they had the information within their grasp and in their pigeon-holes which would justify them in undertaking this work and recommending the vote to the House; and, secondly, the agreement which had been made by the late Government to construct the Four-Mile Water-Race. If the contract which had been referred to by the honorable member for Port Chalmers had been made between the Government and some outsider, if it had been a contract entered into between the Government and some person in the commercial world for the conveyance of mails, or if it had been made with reference to a matter of more general public importance than the making

of a water-race, he ventured to say that the Government would not have taken upon itself the position of repudiation which it had assumed to-night with reference to this agreement. The country could not afford to repudiate its contracts in this way; and, even admitting, for the purpose of argument, that the late Government had not authority to enter into the contract, the amount was so small and the principle involved so slight that, in pure justice to the benches they occupied, the Government ought to give effect to the contract which was entered into with the Buller County Council. He understood, however, from the honorable member for Port Chalmers, that the late Government actually had authority to enter into a contract with the Buller County Council and to construct the race themselves. Now, what were the facts of the case? Years ago this matter was inquired into by the Atkinson Administration, who were so convinced of the genuineness of this demand on the part of the people of Charleston that they put the work on their estimates in 1877. For some reason or other, however, the money was not spent. Subsequently, in 1878, a sum of £50,000 was placed on the estimates for general water-race purposes. The late Government determined to construct this race out of that vote, and, as a preliminary to carrying out the full scheme, purchased the Argyll Water-race for £3,000. They established a staff of management there at a cost of £300 or £400 a year, and thoroughly surveyed the whole course of the race, investigated into the necessity that existed for the construction of the work, and ascertained that it held out a promise of yielding a fair return for the money that would be expended upon it. They had had the whole of these surveys carried out at a cost of about another £3,000, and their engineers, to his own knowledge—for he had read the papers in the Government offices on the subject—had recommended that this sum of £11,000 should be spent; and, if honorable members would read the second volume of the Blue Book of last session, they would find Mr. O'Connor's report with reference to this scheme. That gentleman divided it into three heads—first of all, the purchase of the Argyll Water-race, £3,500; then, the enlargement and improvement of that race, which would cost about another £3,500; and, third, the construction of another race to bring in a further supply: the total cost of the two last portions of the scheme being estimated at £11,000. The Government had had a number of engineers down there, including some of the first engineers in the colony, and those gentlemen had not confined their operations to taking out quantities and making a few surveys; but they had made inquiries among the people there, had been waited upon by deputations, and had obtained all the information on the subject which they possibly could obtain, the result being that they had assured themselves that this was really a *bond fide* scheme, that it was calculated to benefit the district, and that it was a work which the colony as a colony was justified, from a public point of view, in undertaking and carrying out; and these engineers had recommended the Government to expend the balance

of the vote on the construction of the Four-Mile Water-race. The honorable member at the head of the Government had referred to the fact that there was no evidence given before the Committee but his (Mr. Fisher's). But what sort of evidence was his? It did not purport, on the face of it, to be simply facts within his own knowledge, or loose data that he might have collected while visiting his own constituents; but it was the condensed evidence of all the skilled officers who had been in the locality and had examined into the matter on behalf of the Government. The Government surely would not say that, for the purpose of placing this matter before the Gold Fields Committee, a large number of persons should have been brought to Wellington at the expense of the colony in order to give evidence in detail, when the Blue Books could be produced and the facts ascertained at once from the reports of their own officers. If honorable members would read the evidence given before the Committee they would find that this matter had been carefully gone into by the Government and by the local body, and that as a result of the Government inquiries an amount was put upon the estimates in 1877, which was continued in 1878; and that, further, the late Government had entered into an express contract with the Buller County Council that they would give effect to this scheme and construct the Four-Mile Water-race. He held the contract in his hand. It was dated "30th August, 1878," and was written by Mr. Knowles, the Under Secretary for Public Works, to the Chairman of the Buller County Council. It was as follows:—

"Public Works Office,

"Wellington, 30th August, 1878.

"SIR,—Referring to your recent interview with the Hon. the Minister for Public Works relative to the construction of the Four-Mile Water-race, I am directed by the Minister to inform you that the Government agree to comply with your request, and that the vote of last year will be renewed: the work to be proceeded with on condition that interest on one-half the cost of construction shall be paid by the Buller County, and that any profits which may accrue from the race, over and above defraying the cost of maintenance and management, shall be applied to recouping the outlay incurred by the colony. Thereafter such profit shall become county revenue.—I have, &c.,

"JOHN KNOWLES,

"Under Secretary for Public Works.

"The Chairman, Buller County."

He submitted that, in the face of that agreement, the House had no alternative, if it respected its honor and its agreements, but to vote this sum for the purpose of carrying out the scheme. But, apart altogether from the question of whether this was a matter of contract, the construction of the water-race had been recommended to the Government since 1876, when the first investigation was made with reference to it. And he might tell the House, moreover, in connection with this matter, that there were other reasons why the vote should be given effect to. In 1874 and 1875 a company was formed in Charleston

Mr. J. B. Fisher

for the purpose of constructing this race, and they made about two and a half miles of it; but, in consequence of the great impetus given to the business of the country, and the better employment for capital that was afforded throughout the East Coast in consequence of the construction of public works and the carrying out of the railway scheme, capital was drawn away from the gold fields, and the company fell through. It was not because the people had not confidence in the undertaking, but simply because they were attracted away with their capital after having constructed two and a half miles of the race, which now belonged to the Government, and which, if this vote were not granted, would have to remain idle and useless. Therefore the carrying-out of public works on the East Coast had really injured the people on the West Coast. The gold field for which this water was required had produced £1,287,000 worth of gold since 1866. It had yielded, in the shape of gold fields revenue, £40,247, and in Resident Magistrates' and Wardens' fees a sum of £43,205; so that there was nearly £100,000 contributed under those two items, irrespective altogether of the enormous sum which had been paid by these people in the shape of taxation on dutiable articles, which would probably come to about two or three times the amount first mentioned. These people had never had a shilling of public money spent upon them, and all they asked for now was this water. Give them the water, and the district would be as rich as it had been for the last three or four years, with this difference, that the gold produced would be nearly double. He might tell the House that for two or three years before the year 1877 the want of water was so great that the district was languishing and steadily going down. Then they had two wet seasons, and the district revived. People began to make money; the miners settled down and made comfortable homes; and the only thing required now to insure a largely-increased population was a steady supply of water. It was a well-known fact that, if this water were not brought in, and a period of five or six months' continued dry weather supervened, the place would be ruined. He knew dozens of parties who had been living in a comparative state of penury, holding on to their claims upon the understanding that this water would be brought in. Give them the water and they would be wealthy men; but keep it from them and they would have to leave the district and go to some other part of the colony. He did not wish to take up too much of the time of the Committee, but he hoped honorable members would lay to heart the facts he had placed before them, and do justice to these people. They would not come again to the House if they got this money—they had no other wants—and he could pledge his word to the House that it would afford employment to numbers of men for twenty-five years to come.

Mr. STEWART said there were two questions involved in this matter. The first was, whether the Government had been committed by any understanding in the matter; and the next was regarding the advisability of the expenditure,

assuming that there had been no understanding. After hearing the statement of the honorable gentleman, it did seem that the country was committed to the expenditure of the money, unless some statement could be put forth exonerating the Government from the undertaking. He could not express any opinion upon the question whether the expenditure was desirable or not, but the Gold Fields Committee had recommended it, and the House was bound to give effect to that recommendation, unless it were shown to be erroneous. He should vote in favour of the proposal, which he hoped would not be treated as a party question.

Mr. MURRAY hoped the honorable gentleman's law was sounder than the opinion he had just expressed. He said that because the Government had promised a thing the House was bound to carry out that promise; but surely it was not to be understood that every Ministry was to carry out the promises of its predecessors. It was very natural for the Gold Fields members to endeavour to get as much public money as possible for their constituents; but why should the rest of the people be taxed in order to give a subsidy to one particular industry? They should look at the result of past expenditure on water-races, and pause before making a reckless use of the public funds in this way. Mr. O'Connor, speaking of these water-races, said,—

"As already stated before, however, on several occasions, I think it is very doubtful if the expenditure referred to"—that was, the £11,000 which the House was then asked to grant—"would prove remunerative, and I should recommend that, if the Government were inclined to go to any further expenditure upon this project at all, it should be confined to the expenditure required for improvement and enlargement of the existing reservoir and water-races—namely, £23,500."

To show how unprofitable some of the public expenditure for such projects had already been, he would quote a few instances from the same report:—

New River Water-race.—"It is not probable that any further advances will be asked for from the Government, as the work has been practically abandoned by the projectors, and neither is it probable that any further interest on the amount already advanced will be paid by the company."

Hibernian Water-race.—"This work was completed several years ago, but it is now abandoned, so that no further payment of interest on the Government advances can with any reasonable probability be anticipated."

Hohou Water-race (cost to Government, £2,500).—"This work was completed several years ago, but is now entirely abandoned."

Waimea Water-race (cost about £130,000 to Government).—Yielded a net revenue of £2,550.

Kanieri Water-race (cost to Government, £10,000, out of a total of £23,800).—"This work was completed in 1875, but it has now been entirely abandoned by the promoters, so that no further payment of interest on Government advance is now probable."

With these facts before them, it would be unwise

to spend any more money on such projects. As to the guarantee of the Buller County Council, he was not aware that they were in a position to carry on their local works, much less pay interest upon the outlay connected with this race. They were told that the want of this water was a very serious matter to the miners, but there were other communities which felt the want of water. The City of Wellington, for instance: why should not the people of that city come to the House and say, "Our town is very unhealthy, and it would be of advantage to get a good supply of water"? It had also been said that a large amount of gold had been exported from that district. Well, what had been taken out of it could not again be taken out. This might be like other abandoned gold fields, and it was no use trying to restore worked-out gold fields. He did not think the honorable gentleman had made out a good case, and he should therefore vote against the motion.

Mr. DE LAUTOUR thought the arguments of the honorable member for Bruce would apply admirably to his own Drainage Bill, which asked the Government to make advances in another way. The security to be offered by the Buller County Council was as good as any that could be offered by any landowner in Piako. He did not intend to go into the merits of this particular vote; the honorable gentleman in charge of the resolution had done that. What he wished to say was, that he did not think it was the function of the Gold Fields Committee to decide what was the policy in regard to works on gold fields. The House must decide that, as a question of policy. All the Committee had to do was to deal with the questions sent to it. With respect to the present question, unquestionably there was an agreement between the Government and the Buller County Council, and the Committee had no reason to say that that agreement should not be carried out. As to whether it was a wise agreement on the part of the Government, that, of course, the Committee had nothing to do with. He thought the Government would have to deal with the question of works on gold fields in some systematic way. He would suggest to the Government that next session they should appoint a Select Committee, not necessarily composed of Gold Fields members, to review the whole question. The present system under which Gold Fields members had to come down to the House and scramble for moneys was not conducive to their own self-respect, to the advantage of their constituents, or to the advantage of the industry they represented. The question of policy ought to be faced by the House. But, taking the system as it stood, he thought the mover of the resolution had made out a fair case, and to that extent he was disposed to support him, because he thought the claim had been recognized by the Government, and, moreover, that there had been an agreement entered into. The evidence of the Engineer, so far as such reports could be accepted as evidence, was fairly conclusive that the work would be remunerative. As to certitude in these matters, there was no such thing. It was a peculiar fact that the races which had failed had generally been aided by the residents them-

selves; and those races which had been undertaken simply by the Government had been more successful than those which had had the guarantee of local knowledge, local funds, and local labour. The whole question was one of great difficulty, and required exhaustive inquiry.

Mr. GISBORNE hoped the Government would regard this work apart from an engagement, and solely from the point of view whether it was likely to be a remunerative work or not. And he would point out that their own Engineer had shown that these works were reproductive. The Waimea and Nelson Creek Water-races not only paid their own expenses, but paid part of the interest on the cost of construction, gave employment to a great number of people, and assisted materially the development of the gold fields on which they were situated. If the House would look at the matter in this way they would not begrudge the assistance asked for. The West Coast, altogether, had been treated exceptionally disadvantageously in comparison with the East Coast. They had not had railways, and these races were of just as much importance in developing the West Coast as the railways were in developing other parts of the colony. He hoped the Government would assent to this vote, and generally encourage water-races, as he believed they would find the expenditure reproductive, besides assisting to develop the great mining interests on the Coast. He thought the honorable gentleman had made out a strong case, and should be supported.

Sir G. GREY was not quite sure what the Premier meant. He said it was his desire that this motion should be postponed until the Public Works Statement was brought down. Was the House to understand by that that the sum would be placed upon the public works estimates?

Mr. HALL.—No; I did not say that.

Sir G. GREY hoped, then, that the Premier would withdraw his opposition to the motion. His arguments were, firstly, that the evidence taken before the Gold Fields Committee was not sufficient, because the only evidence given was that of the honorable gentleman who was the promoter of the matter; and, secondly, that many other claims would be brought forward if this were acceded to. But he (Sir G. Grey) thought neither of these arguments would hold water. The Gold Fields Committee found that the previous Government had investigated the matter, and had been satisfied that this was a work which should be undertaken. Under such circumstances the evidence taken was quite sufficient. Then, with regard to similar claims being made in respect of other water-races, the reply to that was that they must wait their turn. They were not in the same position as the inhabitants of Charleston were, because no promise had been made to them. The honorable gentleman might fairly give way. Then, he (Sir G. Grey) could not help thinking that there was a contract here. He felt sure that, if at the present time the colony had entered into some similar contract with persons in Great Britain, and did not carry out that engagement, the credit of the colony would be gone, and there would be no

Mr. De Lantour

chance of getting the loan; and on the same principle he thought this was an engagement which the Government should recognize. The late Government entered into this engagement, and it was known that they had done so, probably with the result that large numbers of persons remained at Westport expecting the engagement to be carried out, while others might have entered on all sorts of mining operations on the faith of the promise being kept. The sum was so small that it really was not worth while breaking faith with the people on account of it. On the ground of fairness and justice, he therefore trusted that the honorable gentleman would give way. But, apart from that, he (Sir G. Grey) was quite satisfied it would be a remunerative work; and it would be a great pity, at a time of depression like this, to strangle an industry. This was not the direction in which reductions should be made. He had listened to the arguments of the honorable member for Bruce, but they did not produce any impression upon his mind. The honorable gentleman brought forward descriptions of water-races which had not paid; but it would be very easy to instance many railways which had not paid and never would pay, and it would be just as sound an argument to urge that therefore no more railways should be made as that this water-race should not be gone on with because others had failed. He believed all the authorities agreed that this would be a remunerative work, and that the money already expended would be lost without this further expenditure. For these reasons, he hoped the honorable member would give way and agree to put this sum upon the public works estimates, when, if necessary, it might be further discussed.

Mr. HALL wished to say a few words in reply to those honorable gentlemen who had contended that there was a contract binding upon the House. That was the view taken by the honorable member for the Thames. It was an important and novel doctrine, and he asked honorable members to consider how far they would accept it, because, if such a doctrine were adopted, they would find the control of the public revenue absolutely passing out of their hands. What was the doctrine set up? That a Cabinet, authorized to spend a certain sum during the financial year, might enter into contracts for the expenditure during succeeding financial years of other large sums of money without any authority on the part of the House for doing so. He was not prepared to accept that doctrine, although the honorable member for Port Chalmers had, during the past financial year, expended large sums of money in anticipation of the authority of the House.

Mr. MACANDREW.—No.

Mr. HALL said the facts and figures were upon the table of the House, and would prove that undeniably. The honorable gentleman said it was within the scope of his authority to enter into contracts which would bind the House in subsequent financial years; but he (Mr. Hall) entirely denied the authority of any Minister to make such contracts. Where would the House find itself, if such a doctrine were accepted? Why,

promises made by the late Government were being brought up day after day for fulfilment by the present Government. Only that very day they had to put their foot down and absolutely decline to carry out a promise made by the late Government without the authority of Parliament. The fact was, the late Government had been exceedingly lavish, and their promises were such as were entirely without warrant. Then it was said there was a contract with the Buller County Council. He thought there would be a much stronger case made out if the other parties to the so-called contract had done anything, or had incurred any liability; but they had not done so. A statement was made that, if a certain expenditure was undertaken by the Government, the Buller County Council would pay half the interest upon such expenditure. If that expenditure was not made, the Buller County Council would not be called upon to pay anything, and no harm would be done; the county had made no sacrifice. If it had spent a sum of money in anticipation that the Government would do something, it would have been a very different thing, and the argument of the honorable members on the other side would have been right enough. But what was the position of the Buller County Council? It was only the other day that the honorable member for the Buller told the House that the County Council's revenue was insufficient to enable it to maintain the necessary roads in the county and to carry out the ordinary public works; yet the county undertook to pay half the interest upon this sum of £11,000. The chances were that the County Council would never be able to pay such a sum. However, apart from that, he entirely denied that any Government had a right to promise expenditure not commencing with the financial year during which the promise was made. Their authority was to enter into contracts to the amount specified in the Appropriation Act. The honorable gentleman had done that, and since the commencement of the present financial year had done more, because he had entered into contracts very largely in excess of that amount. What was the financial position of the country, that it should be able to afford to carry out this work, at this "trifling cost," as it was called? If the circumstances of the country were such that this amount was "trifling," he would cheerfully support the resolution; but the country could not afford it, and it was no use for the Committee to pass such a resolution, for the Government had no money to give for the purpose: their predecessors had spent all the money, and none was left. Under happier auspices, he would be glad to support such a resolution as this; but in existing circumstances this work, together with many others of a similar kind, must wait until the country was better able to afford the money for them. This much he might say to the honorable gentleman: that what had taken place in this locality would give it a right to favourable consideration when the financial position of the country was better. The honorable gentleman must understand that the Government opposed this resolution because the claim was premature; because the Government must consider other

claims before it decided upon granting this; and also because the amount of the loan that would be outstanding by the end of 1880 would be so small that it would be impossible to carry out the work.

Mr. MACANDREW could not understand the doctrine laid down by the honorable gentleman. Was he to understand that the law was, that the amount appropriated for the year must be spent within that year, and that the Government could not contract beyond the year itself? That was a new doctrine to him, and a perfectly impracticable one. If the honorable member would refer to the estimates of last year, he would see that £50,000 was authorized to be spent on water-races on gold fields. In that was included the sum proposed to be expended on this Four-Mile Water-race; so that the transaction was legitimate and under the authority of law. All that had been done was to promise, and no contract had ever been entered into. Promises had been made to the Buller County Council, and he held that those promises were binding on the Government if there was sufficient of the loan available to fulfil them. He could not understand what had become of this loan. He had been told that he had appropriated it, but he could not understand why the honorable gentlemen on those benches should always keep harping upon that assertion. Only the other day a return was laid on the table by the Minister for Public Works, which showed that the total amount contracted for was only £660,000; and he was utterly at a loss to understand why, in the face of that fact, the Government were continually din-dinning it into honorable members' ears that contracts had been entered into to the extent of £2,200,000. He hoped directions would be given to the officers of the House to have that return printed as soon as possible, so as to set this dispute at rest. There was "the law and the testimony;" let them have it, and not merely take his *ipse dixit*. There was the official return, signed by the Minister for Public Works, and he (Mr. Macandrew) presumed it was correct. He hoped this resolution would be allowed to pass, for, if it did not, it would savour very much of shirking an obligation entered into by a previous Government; and that was not a nice thing to do. He should be very sorry to be a member of any Government that lightly set aside the promises of its predecessors, if they were made under the authority of law and with the assent of the House, as was the case in this instance. As to the mysterious promises made by the late Government, referred to by the Premier, he could only say, for himself, that he never made any promises that he did not see his way to fulfil; and he ventured to say that, had the late Government continued to administer the affairs of the country, they would have fulfilled all their promises, and, moreover, every railway propounded in the scheme of 1878 would have been gone on with and carried to completion. He had not the slightest hesitation in saying that. Of course, until the Public Works Statement was before the House, it was impossible to know what was in the mind of the Government. He did not know what they meant by the accusations

they made against the late Government, seeing that that Government had only entered into contracts for public works to the extent of £660,000 in the two Islands, some of which extended over a period of two years. He supposed they contended that that was wrong. He supposed they thought that contracting for the reclamation for the Dunedin railway station was wrong, because it extended over a period of three years. There were many contracts arranged for in that way, and the Government which preceded the late Government entered into contracts that extended over three and four years. As he had already said, he ventured to hope the Government would withdraw their opposition to this motion.

Mr. HISLOP said the Government might enlighten honorable members very much as to how they should vote on this question if they would tell them when they were likely to have the Public Works Statement, and how long the House was likely to be in session after it was delivered; so that, if they were dissatisfied with it, they might take such other steps as they thought necessary. It seemed to him the Government were putting off that Statement, which was to solve all these difficulties, until the very last day of the session, so that honorable members would have no opportunity of bringing forward any propositions of their own.

Mr. McLEAN had no desire to enter into this question, but must say a few words in reply to the honorable member for Port Chalmers. That honorable gentleman had, in the face of actual figures laid before the House, persisted in denying that the late Government had entered into obligations far beyond what they were authorized to do. The honorable gentleman, when Minister for Public Works, had no longer round him the guardian angels who acted as a check upon him when he was head of a Provincial Government, and his natural proclivities came out when he found he could sign contracts without even consulting his colleagues. The honorable gentleman was very 'cute, however simple his words might be before the House. He said, "I entered into contracts, all of which are on the table of the House." That was quite true; but he should have gone further and said, "I also entered into engagements, such as ordering plant from Home, and like matters, to the extent of £2,200,000." Moreover, the honorable gentleman took a vote from the House for £20,000, and immediately, on the strength of that, spent, and ordered material to the extent of, £270,000. There was no doubt that if the honorable gentleman had remained in office he would have made all these railways, but the whole reserve of the Bank of England would not have been sufficient for him for even three years: he would have scattered it all. If the honorable gentleman ever got into office again, he would want some guardian angels round him, as he used to have in the Provincial Government of Otago.

Mr. J. B. FISHER hoped honorable members would not make this a party struggle. It was not a question of government; it was a question of contract and honor; and he submitted that he had made out a case in which gentlemen of all

sides should join, in order to maintain the honor of the colony and of the Government that had administered its affairs for years past. The honorable gentleman at the head of the Government appeared to take up the position that the country should only carry out a contract if it were convenient; but it was a matter of principle and of law that, if a contract were made—and especially if it were in writing—it must be given effect to at all hazards. Admitting that it was not convenient to the country to fulfil this contract, still it was not sufficiently inconvenient to warrant the House in refusing to go on with it. As to no action having been taken in the matter, he might say that not only had the County Council taken action, but scores of people had continued in the district, and had, since 1878, been maintaining themselves upon their capital, so that they might be able to earn a living when this contract was completed and the water rendered available. The contract had, to a large extent, been given effect to. In addition, the Government had partly performed the contract. They had bought the Four-Mile Water-race, and had plans and specifications prepared, so as to be able to call for tenders. All these facts showed that honorable gentlemen should support the right which he had on his side, and vote for the motion.

Mr. MACANDREW could not allow the honorable member for Waikouaiti to say that, under the authority of a vote of £20,000, he had expended £200,000. He defied the honorable gentleman to bring any proof of that statement. As to guardian angels, it might perhaps have been well if he had had the honorable gentleman always near him when he was in office: his watchful countenance, with that innocence and celestial purity which beamed in its every smile, would no doubt have been an advantage. He defied the honorable gentleman to justify the reckless statement he had just made.

Mr. McLEAN was perfectly well able to justify his statement, but he did not want to take up the time of the House on a private members' night. He had acted partly as a guardian angel to the honorable gentleman, but he would be sorry to have the guardianship of him now. Regarding this vote itself, he did not see that there would be any breach of faith in the House refusing to grant it. If the colony had plenty of money he would be happy to vote for it; but, seeing the position they were in, he could not see his way to go into the same lobby with the honorable gentleman. He considered that he would be committing no breach of contract whatever in declining to agree to this resolution; if that were the case, he would be the last to do so.

Mr. MONTGOMERY said that £50,000 had been voted for water-races, but only £39,000 had been expended. He wished to know if there were outstanding liabilities which would absorb the unexpended balance. Although there was no contract, if they had the money there was a binding engagement with the County Council. The Premier said they had not got the money. He (Mr. Montgomery) did not say this work should take the whole of the balance, but it should

Mr. Macandrew

be considered along with other works in connection with which there were positive engagements on the part of the Government. Under these circumstances, he should vote for the motion.

Mr. RICHARDSON said the honorable member for Akaroa had anticipated what he was going to say. He thought the honorable member for Buller would be consulting the interests of his constituents if he delayed taking the decision of the House until the Public Works Statement had been made. With the frequent changes of Government and of circumstances that took place, he (Mr. Montgomery) did not think that the mere fact of the county having obtained a promise from the Government would avail the honorable member very much. But he thought the honorable gentleman had a very much better case than that, because he understood that £3,500 had been already spent on the water-race, and £3,000 in addition to that in the preliminary operations in connection with this race. Under these circumstances, it did not require much consideration to show that, if the Government had money for any of those works, this particular work was bound to be the very first they would undertake, in order to get a return from the £6,000 they had already lying idle there. With regard to this particular race, he knew a great deal about it. It came before him when he was in the Government, and he interested himself very considerably about it. He knew there was a great diversity of opinion about this race, as there was about all the races that ever came before him. He had always opposed the Government entering upon the construction of these races, but from time to time the House had forced one after another upon the Government of the day, and the pressure brought to bear by the various local bodies and those interested in particular districts made it absolutely impossible for the Government to resist going into the construction of these works. No doubt some of them had failed, but he believed that in the end it would be found, after all, that the money expended, if the works were judiciously managed, would be reproductive. He always understood, from personal communication with the Engineer, Mr. O'Connor, in whose opinion he placed the most implicit reliance, that in this particular case there was more probability of the work being remunerative than in the case of any other race, except the Hochstetter. Although he had heard the Hochstetter Race spoken of disparagingly to-night by one member from that district, he had always understood, and he believed at the present moment, that that race would be the most remunerative in the colony.

Mr. HISLOP believed that the advice just given by the honorable member for Christchurch City was given in perfect good faith; but, if the resolution were carried, it would not bind the House afterwards. If anything contained in the Public Works Statement caused them to change their opinion, there was nothing to prevent them afterwards from voting against the expenditure. If this discussion was to be postponed until after the Public Works Statement was made, he was afraid the honorable member's chances would be very small, because evidently the Government had not

yet made up their minds as to when this Statement was to be delivered. They had not yet had the courtesy to answer questions from his side of the House as to when the Statement was to be delivered.

Mr. SEDDON said the Buller County Council were making a very good bargain, and they would be easily able to pay interest on this money. Miners' rights fees and the gold duty went to the Council. Owing to the increased number of miners who would be employed by means of this race, the County Council would be easily able to pay the interest. The present staff of men, employed by the Government at £300 a year to work a race selling only ten heads of water per week, would be able to work a race selling seventy or eighty heads of water. He did not like to hear all the arguments in favour of this motion coming from one side of the House. They seemed to be drifting into the position that everything was to be decided by a party vote. The honorable member for Bruce should have read the following extract from Mr. O'Connor's report, 1879:—

"*Nelson Creek Race*.—Number of men employed daily throughout the year, 70; number of ounces of gold so obtained, 4,400.

"*Waimea Race*.—Number of men employed daily throughout the year, 617; number of ounces of gold so obtained, 21,400.

"From this, then, it will be seen that, while the direct net revenue of the races in question is £2,900 per annum, they at the same time maintain in continuous employment as many as 687 men, and yield to each of these an income of £145 per annum; and, as this is considerably in excess of the cost of living of the men in question, it is a reasonable deduction, as it is also the fact, that capital is thus accumulated by, at any rate, some of the men engaged, and that this capital is afterwards applied in developing more permanent industries in other parts of the country."

It would be seen that by those races the West Coast was kept in its present condition. If it were not for those races the population of twenty-four thousand could not exist; and that population had not cost the Government one pound to bring them there. If that population left the Coast the Government would sustain a very heavy loss. A large number of men had been waiting for years in this particular district, in the hope that water would be brought in; and the House might blight the prospects of those men for life if they did not carry out this work.

Question put, "That the resolution be agreed to;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	31
Noes	...	...	...	...	26
					—
Majority for	...	...	...	...	5
					—

AYES.

Mr. Andrews,	Mr. Macandrew,
Mr. Ballance,	Mr. McCaughan,
Mr. De Lautour,	Mr. Montgomery,
Mr. Finn,	Mr. Moss,

Mr. J. B. Fisher,
Mr. J. T. Fisher,
Mr. George,
Mr. Gisborne,
Sir G. Grey,
Mr. Hamlin,
Major Harris,
Mr. H. Hirst,
Mr. Hislop,
Mr. Hutchison,
Captain Kenny,
Mr. London,

Mr. Pyke,
Mr. Reid,
Mr. Shrimski,
Mr. Speight,
Mr. Stewart,
Mr. Tainui,
Mr. Tawhai,
Mr. Tomonna,
Mr. Wakefield.
Tellers.
Mr. Reeves,
Mr. Seddon.

NOES.

Major Atkinson,
Mr. Bain,
Mr. Bowen,
Captain Colbeck,
Mr. Hall,
Mr. W. J. Hurst,
Mr. Hursthouse,
Mr. Johnston,
Mr. Kelly,
Mr. Levin,
Mr. Mason,
Mr. McLean,
Mr. Oliver,
Mr. Ormond,

Mr. Pitt,
Mr. Richardson,
Mr. Rolleston,
Mr. Saunders,
Mr. Stevens,
Mr. Swanson,
Colonel Trimble,
Dr. Wallis,
Mr. Whitaker,
Major Willis.

Tellers.

Mr. Murray,
Mr. Sutton.

PAIRS.

For.
Mr. Brown,
Mr. Ireland,
Mr. Sheehan,
Mr. Shephard,
Mr. Turnbull.

Against.
Mr. Brandon,
Mr. Fulton,
Mr. Bryce,
Captain Russell,
Mr. Wright.

The motion was consequently agreed to.

Mr. WAKEFIELD wished to explain that in the division he voted with the "Ayes" in consequence of a promise he had given some time ago to the honorable member for the Buller that he would support him on a question of this kind. He desired to state that he had voted entirely against his own feelings in the matter.

TARANAKI IRON-SMELTING WORKS LANDS BILL.

Mr. BALLANCE, in moving the second reading of this Bill, said its purpose was to amend "The Taranaki Iron-Smelting Works Lands Act, 1874," and the merits of the Bill were set forth pretty fully in the preamble; but he might explain that under the Act of 1874 it was provided that the Taranaki Steel Company should have selected for it 5,000 acres of land, for which it was to pay 5s. per acre, on certain conditions. Three thousand acres were to be selected out of a block called the Moa Block, and the Act referred to another selection which had already been made in a block called the Tarururangi Block. This previous selection had been made by the Superintendent, and it was his duty also to select the 3,000 acres stipulated in the Moa Block. He proceeded, in accordance with the Act, to select the 3,000 acres; but, after making the selection, it was found on actual survey that there were not 2,000 acres in the Tarururangi Block, and that only 1,000 acres could be selected in that block. In order to make good the 5,000 acres that

had been stipulated to be sold to the company, the Superintendent proceeded to select 1,000 acres more in the Moa Block—that was to say, making 4,000 acres in the Moa Block and 1,000 acres in the Tarururangi Block. This arrangement remained for several years without being disputed in any way. The grant for the land was made out, the money was paid in accordance with stipulation for the land, at the rate of 5s. per acre, and all the other conditions, with the exception of one, were completed to the satisfaction of the Government. In fact, all the conditions were completed in accordance with the requirements of the Act, for the Superintendent gave a certificate to the effect that the company complied with all the conditions. A technical objection was taken some time afterwards that the whole of the capital of the company had not been paid up. The paid-up capital stipulated for was £30,000, but it was held that only £27,000 had been paid up. He believed that the Law Officers of the Crown advised that this would be fatal to the company's rights, and that before the company could obtain the grant it would have to issue shares for the difference between £27,000 and £30,000. The company accordingly took the necessary steps, and the capital was subscribed; whereupon the matter was again referred to the Law Officers, who gave the opinion that the whole of the stipulations had been faithfully fulfilled, and that the grant should issue. The grant was, he believed, about to issue, when another difficulty cropped up—the difficulty to which he had already referred—namely, that the Act of 1874 required that there should be 3,000 acres taken out of the one block and 2,000 out of another, whereas the selection was 4,000 acres in one block and 1,000 acres in the other. That was the whole difficulty which now existed, and the present Bill was intended to set that matter right. It provided that the selection, which was duly made by the Superintendent of Taranaki, of 4,000 acres in one block and 1,000 acres in another, should be considered valid, and that the grant should issue. The money had been paid and all conditions completed, and the company insisted upon receiving the land, for which it had paid, and which it considered to be its own. He could see no objection whatever to this being done, for, if there were any blame whatever, it was not attachable to anything done or left undone by the company, but entirely rested with the Superintendent of Taranaki and the Government surveyor, who made the selection. If the House wished to have further evidence taken on the matter, he would be happy, after the second reading, to move that the Bill be referred either to the Waste Lands Committee or to the Public Accounts Committee, in order that it might be reported upon.

Mr. ROLLESTON thought if the honorable gentleman had been putting a case specially for one side he could not have made out a better one; but he apprehended that a greater responsibility rested upon any member of that House who brought down a measure of very large importance affecting the public estate. In his public capacity as a member of that House the honorable gentleman should have explained both sides

of the question, and told the House there was something more in it than he had stated. This matter was one that was brought up some weeks ago by the honorable gentleman, when he (Mr. Rolleston) was entirely unacquainted with the circumstances of the case. He found in the office a very large file of papers, that extended over several years, and he did his best to make himself acquainted with the case. In reply to a question, he told the honorable gentleman that, after the information he had been able to gather, he thought this Bill ought not to be proceeded with during the present session; that the circumstances were so involved, and required so much consideration—had already been the subject of so much discussion, and such unsatisfactory discussion—that he did not think it fair to bring down, at that stage of the session, a Bill dealing with the matter. The honorable gentleman had now brought down the Bill which he had previously asked the Government to bring in. Honorable members were probably as little acquainted with the circumstances of the case as he had been a short time ago, and he would therefore state the broad features of it. He wished the House to understand that there were two aspects to the question. There was the broad question of whether a public compact affecting the public estate was to be carried out faithfully in both spirit and letter by both sides; and, secondly, whether the House was to be asked to rectify blunders which had been made in carrying out an entirely one-sided bargain, and one that was altogether against the original intentions of the House. The position was this: In 1874 an Act was passed which provided for an agreement being ratified between the company on the one side and the Government on the other. The company was to put up smelting works on the beach at Taranaki. It was to create an industry which the House was led to suppose would be of very great value to the country. The company was to have, in consideration of the enterprise, a block of 5,000 acres of land. This block was for the purpose of supplying charcoal to the works. A lease of the beach was to be given to the company, and on the beach smelting works were to be erected. In order to establish this industry the land was to be sold to the company at 5s. an acre, and £1,200 was to be expended in constructing a tramway from the land to the beach. In passing the Act, the House believed that the industry would be established in a short time, and penalties were to be inflicted if during a certain number of years a certain amount of sand was not smelted and the industry carried on. Now, let the House see what was the case. Was the tramway made? No. Were the smelting works carried on? No. Was the block of land utilized for making charcoal? No. And what was the House asked to do? The company had failed to carry out what it had bargained to do, and now came down to the House and said, "We have technically complied with the agreement in putting up smelting buildings, and also in raising the capital that we covenanted to raise, and, though we have failed entirely to insure to the country that which was intended by the

Legislature, we ask you to cure a blunder, so that we may be enabled to get these 5,000 acres for ourselves." The honorable gentleman did not put the case fully; and not only did he not state the whole case, but he said the Government had been advised that there was nothing to do but to pass this Bill, because the bargain had been faithfully carried out. As a member of the late Government, the honorable gentleman knew what the legal opinions were. There was a series of them extending over several years, and one after the other was directed to the technical compliance with the agreement. All the Law Officers were asked to advise on was, whether the technical provisions had been complied with or not. Each opinion, as far as he recollected—and there were a great many of them—shelved the question of whether the spirit of the agreement had been carried out. There was no legal opinion which stated that the agreement had been carried out to the intent and purpose of the Legislature—the implication was the other way. The honorable gentleman did not state—what was a very important fact for the House to recollect—that this question had been before the Public Petitions Committee, and that Committee reported in the sense in which he had put the question—he believed, in 1877. The report was to the effect that the bargain had practically not been completed; but that a fair solution of the question would be that the money paid by the company—that was, the 5s. per acre for the 5,000 acres—should be returned, and that the company and the Government should cry off with the bargain. He was strongly of opinion that that was a fair solution, and the Government had therefore put that sum down upon the estimates again this year as a means of settlement of the difficulty. He had endeavoured to put the case as fairly as he could. He did not mean to say he was yet thoroughly acquainted with all the ins and outs of it, but he thought he had given the House a fair statement of the true position. He hoped, therefore, the honorable gentleman would see fit to postpone this Bill, at any rate beyond this session, if he thought he had a just case; because honorable members generally were not likely to give that full attention to it which he and others had done, and he did not think they would, on any cursory view, come to the conclusion that there was that justice in the case which the honorable gentleman seemed to think.

Mr. KELLY was sorry to say he must oppose the second reading of the Bill. It was, as the honorable gentleman who introduced it correctly said, a Bill to remove a technical defect; at the same time, it proposed to give a legal position to the company which it did not now possess. When the company was started, a contract was entered into between the Provincial Council of Taranaki and the company, the Council, on the one side, agreeing to give 5,000 acres of land for the purpose of providing timber for charcoal, and fairly trying to solve the question of whether the iron sand could be made of marketable value or not; the company, on the other side, agreeing to definitely settle the question. It was never intended that the land should be given by the

Council simply for the purpose of building iron-works, without doing anything further. He knew of his own knowledge that the land would never have been given if it had been understood that the experiment would not be fairly tried. The land was given for the purpose of providing fuel for smelting the iron-sand, and the preamble of the Act of 1874, quoting the resolution of the Provincial Council, implied that the land was given conditionally on the company smelting the iron-sand. The Act was introduced to give effect to the arrangement made by the company with the Provincial Council; but, in consequence of certain conditions in that Act not having been performed, the Government had steadily refused to issue the Crown grant. One matter taken exception to by the Government was that the company was to have had an actual capital of £30,000, and, as it was held that the company had not that capital, therefore it was not entitled to the Crown grant. It was quite true that the Superintendent gave a certificate, under clause 6 of the Act of 1874, stating that he was satisfied that all the conditions had been complied with; but, as the Superintendent gave a certificate he was not by law entitled to give, there was no doubt that certificate was entirely void. That was the conclusion the Crown Law Officers came to. It was said that that objection was now overcome, as the capital was raised to the amount required, and that consequently the Act was complied with. If that were the case, a new certificate would have to be issued; and it was questionable whether a certificate could now be issued by the Governor, under section 6, having the same legal effect as that which was issued by the Superintendent. That question ought to be referred to the Law Officers of the Crown. Then another question arose. Certain covenants were made between the Superintendent and the company in the lease, which was embodied in the Provincial Ordinance, providing that the company should carry on the works; and, in default of producing the quantity of cast-iron agreed to in the lease they were to pay fines. These fines now came to £1,560. But this lease between the Superintendent and the company, approved of by the Ordinance of the Provincial Council, and the Act of 1874, were all one arrangement; and therefore the company, on the one hand, was now liable to fines amounting to £4,500; and the Governor, taking the place of the Superintendent, if he were called upon to issue the certificate, would at the same time be called upon, acting on the part of the public, to recover the fines which had accumulated in consequence of the conditions not having been carried out. He thought the whole Bill was a mistake. The only way of dealing with it was to carry out a suggestion which was made in the House in 1877—that was, that it should be agreed on the part of the Government to condone the fines, that the sum of 5s. an acre paid by the company should be returned, and that the company should surrender all claim to the land. That would be a fair and equitable way of settling the difficulty. Although the company had a certain claim on the land, still the public had a large claim on the company;

Mr. Kelly

and, if the company went on the strict letter of the law, of course the Government, as the protectors of the rights of the public, must also insist upon the strict letter of the law being carried out on the other side. If the land were granted to the company, on the one hand, and the fines were imposed, on the other hand, the company would not be in so good a position as it would be in if it accepted the sum of £1,250 now placed on the estimates.

Mr. McLEAN said that when he was a member of the Government he inquired into this claim, with the view of dealing liberally with the company, which had lost a large amount of money. But, after going carefully into the matter, he could come to no other conclusion than that they were not entitled to the land: in fact, if he recollected rightly, they went so far as not to pay the rates themselves. If they had any intention of claiming the land, they should not have done that. All he could see his way to do—and he did not think they were legally entitled even to that—was to place £1,250 on the estimates, for the purpose of returning the amount paid by the company for the land. He was always willing to support that proposal, but he could not go further.

Mr. STEWART said this was a matter with which he was not unacquainted, because a number of the parties interested in this company were Dunedin shareholders. It had been brought under his consideration, and he had made himself acquainted with the history of the subject as well as he could. It seemed to him that the objections now raised were admittedly purely technical, and he apprehended the House would not entertain them. The circumstances connected with this transaction had been lucidly and candidly expressed by the honorable member for Wanganui (Mr. Ballance). The position taken up by the Minister of Lands seemed to be somewhat inconsistent. He stated at the outset that what was expected was that this agreement should be carried out in the spirit and in the letter. In another part of his speech he stated that it had been carried out—that was to say, there had been a technical compliance with the Act—but that something which had been intended or expected by some other person or body was not fulfilled.

Mr. ROLLESTON said the honorable gentleman misunderstood him. Technical compliance on a considerable number of points had been forced step by step upon the shareholders; but now there was a technical point which could not otherwise be remedied, and the Legislature was asked to remedy it by passing this Bill. He asked whether, the spirit of the agreement not having been fulfilled, the House could fairly be asked to remedy that technical difficulty.

Mr. STEWART accepted that explanation. The honorable member for Waikouaiti stated that when he was a member of the Government he went into the matter, and endeavoured to come to some conclusion on the merits of the case. He did not explain to the House what had been his difficulty in arriving at a satisfactory conclusion. As far as he (Mr. Stewart) could see, the only difficulty was this question of selection. The 6th

section of the Act seemed to be perfectly clear. It said,—

“Upon the completion of the said furnace or furnaces as aforesaid, and upon the certificate in writing of the Superintendent that the provisions of this Act have been fully complied with in respect of the lands hereby authorized to be selected as aforesaid, it shall be lawful for the Governor, in the name and on behalf of Her Majesty the Queen, to issue grants of the lands selected by the company under the provisions of this Act: Provided always that, before any grant of land selected under this Act shall be made as hereinbefore provided, the Superintendent shall be satisfied that the company have a nominal capital of not less than fifty thousand pounds sterling, and an actual capital of not less than thirty thousand pounds sterling, and that the company shall have expended ten thousand pounds sterling within the province in erecting and completing a blast furnace, or more than one such furnace, and in the purchasing of plant and labour-charges for the purpose of carrying on the smelting of the Taranaki ironsand.”

He understood it was admitted beyond all doubt that this furnace had been completed; that the certificate had been issued by the Superintendent; and the only thing now to be done was to issue the grant. The Superintendent, when he issued the certificate, must have been satisfied that all the conditions were fulfilled. The honorable member for New Plymouth stated that the Superintendent did something which he was not justified in doing. He understood the contention was that the company was not properly formed at that particular time.

Mr. KELLY.—What I stated was, that there was not an actual capital of £30,000 when the Superintendent gave his certificate.

Mr. STEWART said the capital was afterwards called up to the necessary amount, and, he believed, paid by the company; so that that provision had been fully complied with. Here they had a company investing £30,000 in promoting what was expected to prove a profitable industry, upon a distinct promise that a grant would be made to them of 5,000 acres of land. The company, upon the strength of that promise, subscribed its capital, entered upon its enterprise, completed the furnace, and, he believed, smelted a certain quantity of ironsand: in fact, everything incumbent upon the company was done; but, through some purely technical provision about the selection of this land, the grant could not issue. Was it to be said that, when a company invested such a large sum of money as that in furthering an industry that was fully expected to be profitable, the House would stand upon a defect which, if enforced, would not reflect much credit upon the House? He had not seen the opinions referred to by the Minister of Lands and the honorable member for Wanganui; but, judging from what he had heard, those opinions were in favour of the issue of the grant, if this purely technical defect could be got over. Probably the Minister of Lands would read those opinions to the House, as an opinion was lately read to the House by the Premier. The Minister

of Lands stated that there was another side to the question, which ought to be put. From the side which the honorable gentleman put, he (Mr. Stewart) was rather confirmed in his opinion as to the absolute justice of and necessity for passing the Bill. The honorable gentleman stated that there was standing in the way a purely technical defect. He (Mr. Stewart) hoped the House would not adopt a system of repudiation, because that must necessarily reflect upon the colony as a whole. This company had invested the whole of their means on the strength of a promise being fulfilled; and, if bad faith were kept with them, people might think there was nothing like fair dealing in public matters in the colony. A stronger case could not possibly be made out than that brought forward by the honorable member for Wanganui and the Minister of Lands himself to justify the House in passing this Bill. It had been suggested that a fair solution of the difficulty would be to refund the 5s. per acre; but he submitted, with all deference, that that would not be a fair solution of the question. A fair solution would be this: that, the company having complied with the terms of the Act in completing this furnace, in raising £30,000 of capital, and getting a certificate from the Superintendent—these three provisions having been complied with—the House should recognize the company's title to the 5,000 acres. They were entitled to that as an absolute right, and he submitted that the denial of that right would be tantamount to robbing these people of the just claims they had acquired under the Act. He should be sorry indeed if any Government should be found resisting a claim such as this company had, and which was founded upon equity and justice. Of course it might be expected that, inasmuch as this question had been brought forward by the honorable member for Wanganui, some opposition would be made to the Bill, as was made to anything emanating from his side of the House; but he hoped honorable members would rise above such considerations as that, and vote upon the pure merits of the question. The honorable member for New Plymouth had referred to some lease. He (Mr. Stewart) was ignorant of the existence of that lease. Possibly he might have heard something about it; but that document had nothing to do with this particular question. He entirely disputed that the lease had anything to do with the issue of the grant. The Government might have some remedy in respect of the fines, if they chose to enforce them. The lease was an entirely separate document, and should not stand in the way of the issue of the grant. *Non constat* that the company were able to carry out the terms of the lease on account of the way in which the Government had treated them. If the company had received a grant of the land, they might at once have been able to comply with the terms of the lease. The holding-back of the Crown grant might have rendered the company unable to carry out the terms of the lease. It was all very well to hold the terms of the lease *in terrorem* over the company. Had it not been for the issue of the grant being withheld, the company might have been enabled to comply

with the terms of the lease. Whatever opinion the Government might have on this matter, he hoped the House would come to a fair and proper decision. He hoped there would be no real opposition to this Bill; but, if there should be, he would ask that it be referred to some Committee of the House. He did not think it should be referred to the Committee of which the honorable member for New Plymouth was Chairman, as that honorable gentleman entertained, and had expressed, strong opinions on this question. Looking at the Act, and after the explanations given by the honorable member for Wanganui and the Minister of Lands, he thought the House must come to the conclusion that there were obligations which could not be evaded, and that it should read this Bill a second time.

Mr. MACANDREW would support the second reading of this Bill, and he hoped the House would adopt the same course. As far as he could gather, the terms of the contract had been complied with in a *bond fide* manner by the company, as they had expended more than double the amount they undertook to expend, and there was no doubt they had the requisite machinery and plant on the spot, and only required possession of the land to enable them to carry on the work;—they only required the 5,000 acres of land to enable them to proceed with the work. The furnace was built at a time when there was no railway there, and the company could not possibly carry on the work; but, now that they had a railway running within two hundred yards of the furnace, they could carry out the work. He admired the pluck of the company in landing their machinery and plant on the beach at New Plymouth, and carting it to the spot at the cost of an enormous sum of money. He thought the House should not deal with this matter in a niggardly spirit: it should deal with it in a generous spirit. No doubt a large number of people had been induced to invest money in this undertaking in the hope of the company being generously dealt with, and getting the land. He knew that in the South there was a strong feeling existing on this subject, and if he were a resident of Taranaki he should endeavour to allay it. It was surely desirable that the company's plant should be brought into operation. It was a pity to see it lying idle. He had no doubt that the ironsand would be smelted there, and all that was required was the grant of land to enable the work to be carried out. He hoped the House would agree to the second reading of the Bill.

Colonel TRIMBLE said that, if the honorable member for Dunedin City (Mr. Stewart) had known the real facts of the case, he would not have stated that the company were merely waiting for the grant to go on with the work. The company had no idea of smelting the sand. Their sole object was to get the land, in order to divide it amongst themselves. The honorable member for Dunedin City first of all said that he knew all about the question, and then he argued as if he only knew one side of it.

Mr. STEWART said the honorable member was misrepresenting him, as he usually did.

Mr. Stewart

Colonel TRIMBLE said the honorable gentleman stated that he knew all about the question, and then he showed that he knew only one side of it. The honorable gentleman acknowledged that he knew nothing whatever of the obligations of the company. He knew only of the obligations to the company. What was the position of the company? They obtained their lease on the 31st December, 1873, and were to have twelve months for the erection of their works. From the beginning of 1875 they were to commence to produce iron, on which they were to pay a royalty of 1s. a ton. Supposing they did not produce the iron in certain quantities, they were to pay a penalty of 10s. a ton for all iron deficient in quantity. In the first year the company were to produce 1,000 tons; in 1876, 1,500 tons; in 1877, 2,000 tons; in 1878, 2,500 tons; and from that time forward a similar quantity. The penalties up to the 31st December next would amount to £4,750. Did the company propose to pay those penalties over? Had any hint come from the company that they proposed to pay them to the Province of Taranaki? They had not as yet heard anything on that part of the subject from honorable gentlemen opposite. The words of the lease were these: "The company do, for themselves, their successors, and assigns, covenant with the lessor and his successors in office that the company will work and smelt the ironsand," and it was further agreed that the lease should be forfeited if the iron were not smelted "according to the true intent and meaning of these presents." The lease was based on the supposition that the ironsand would be worked. Some explanation might have been given in reference to the getting-up of the deficient part of the company's capital, amounting to £2,000 or £3,000. The company had raised that amount in a peculiar way. The whole thing seemed, from the very beginning up to the end of it, a mistake, perhaps, with its originators; but, as stated by a certain gentleman, he (Colonel Trimble) thought it in many respects very discreditable. If the company had shown the slightest desire to do the work, he believed there was no man in Taranaki who would not have readily met them; and, if there was the slightest prospect at the present time that the grant of 5,000 acres would lead to the smelting of this ironsand, he knew of no one who would not petition the Government to make the grant. But, when he knew that the company had made no arrangements for that purpose, and had shown no eagerness to do so, to say, as had been said by the honorable member for Port Chalmers, that they were simply waiting for the 5,000 acres to commence operations was, in his (Colonel Trimble's) opinion, an entire mistake.

Mr. BARRON intended to vote for the second reading of this Bill. The company secured the promise of this land before they committed themselves to this industry.

Hon. MEMBERS.—No.

Mr. BARRON said it was one of the inducements, at all events. If shareholders had not looked forward to the ultimate possession of so many acres of land they would not have risked their money in the solving of a problem which

they might not be able to solve successfully. He knew a great many shareholders in the South had spent their money freely so long as they thought there was some certainty of the industry being successful; but, when they came to know that they were literally throwing their money into the sea, they very wisely and properly began to look at their position. It ought to be remembered by honorable members that land was not a movable property. This proposal meant simply the transfer of land already set aside for the purpose from the Government into the hands of the company, and under the proposed Property-Tax Bill the land would begin to yield revenue to the country; and, if that consideration did not weigh with honorable members, he did not see how the Government could refuse to look upon it as a strong argument in favour of this transfer being agreed to.

Mr. WAKEFIELD should support the second reading of this Bill, on the understanding that it would afterwards be referred to a Committee. He should certainly not support the second reading upon the argument of the honorable member who had just spoken, because, if such an argument were to hold good, the Government might as well hand over the whole waste lands of the Crown, in order that they might be taxed. If that was the strongest argument which the honorable member for Caversham could adduce in support of the Bill, all he (Mr. Wakefield) could say was, that there was very little chance of its becoming law. He objected altogether to the insinuations of the honorable member for Dunedin City (Mr. Stewart) that members on his (Mr. Wakefield's) side of the House could not take an unbiased view of private Bills. He had always assisted in the passing of private Bills, and had never allowed a party feeling to interfere with his conduct when private Bills were under consideration. If the honorable member for Dunedin City continued to make such unwarranted insinuations, he would only alienate support from any measure which he advocated. There were certain matters connected with this Bill which needed an inquiry such as it was not likely to get in that House, and it would be better to refer it to a competent Committee, such as the Waste Lands Committee or the Public Petitions Committee. It had been insinuated that the Public Petitions Committee would not be an impartial tribunal to refer it to, because the Chairman of that Committee happened to be the honorable member for New Plymouth. He had known the honorable member for New Plymouth as Chairman of the Public Petitions Committee for a number of years, and had never known his impartiality to be called in question before. He believed the Public Petitions Committee was a perfectly impartial tribunal, and he did not think that, although the honorable member for New Plymouth was Chairman of the Committee, he would show any bias if this Bill went before the Committee. The whole question was, whether the company had performed their part of the contract under the Act—whether they had carried out the spirit of the Act, and were entitled to this grant of land. It had been attempted to be shown that the granting

of this land would facilitate a local industry; but he did not anticipate anything of the kind. If this grant of land were given it would simply recoup to a certain extent a number of unsuccessful speculators the loss that had accrued to them by the non-success of their speculation. He had no doubt the land would be immediately sold. The chances were that the shareholders were by no means men who entered upon this enterprise and risked their money for the sole object of trying to establish this industry. The shares were probably bought up and in the hands of a few people.

Mr. STEWART.—That is not the case.

Mr. WAKEFIELD said he was simply stating the fact that it was quite likely the shares had been purchased, as in many companies, when they were depreciated by speculators, and that this land would simply fall into the hands of a few to recoup their outlay; so that it did not appear to him that the enterprise would be forwarded at all by the granting of this land. The company had a very liberal offer made to them. If they made a hundred tons of iron, under the Act of 1877 they would have been enabled to get possession of this land. They never made it, and the fact remained that the iron and manufacture had so far failed; and it was, he thought, misleading to tell the House that the granting of this land would further the manufacture. It might be right to say so, and if it turned out to be the case he had no doubt the Committee would report in such a manner as would induce the House to accede to the grant.

Mr. MURRAY thought the honorable member who had last spoken had made an assumption prejudicial to the company which he was not justified in making. He (Mr. Murray) was not aware that the shares had been purchased by speculators. He was aware of this much, however: that a desire existed to test the value of this iron sand as an industry of the colony; a company was offered certain inducements, and they very foolishly expended a very large amount of capital, and the enterprise proved unsuccessful. His position as Chairman of the Industrial Committee afforded him opportunities of knowing the prospects of success of different industries, and he never believed that this iron sand manufacture would be a financial success. Through some technical failure, the company did not carry out all the requirements of the agreement; but they had carried out their part in good faith, and he believed that, instead of spending £20,000, they had spent £26,000 in endeavouring to establish this industry. They were promised 5,000 acres, and it would be a very improper thing, in a colony like this, depending so much on credit and good faith to develop its wealth and promote its industrial progress, if honorable members attempted by any means, for the sake of saving the 5,000 acres, to take from the company its just due. The company had been induced to spend a large amount of money, and to their ruinous loss they had failed in their enterprise; and now some honorable members wished to increase their loss by depriving them of that to which they were entitled.

Mr. HUTCHISON thought a great deal could

be said on both sides of this question, but it appeared to him, from the Act of 1874, that a good claim began there. Simple terms were there stated, and beyond these the House had no right to go. They had nothing to do with the lease mentioned. If the company had fulfilled all that was mentioned in the Act of 1874, they had done all that was requisite to enable them to claim the land, and any technical obstacle to their claim which existed under that Act was proposed to be removed by the Bill now before the House. The state of the case seemed to be this: Here were a number of gentlemen interested in the progress of the country, and interested more especially in this iron and manufacture. Their nominal capital was to be £50,000; but the actual money paid was not to be more than £10,000. They had already spent £26,000, but unfortunately the thing had failed so far. He was not sure whether they intended to renew the attempt or not. He was not aware that there was any reason to say that they were not going to carry it on further. But surely it was a very praiseworthy thing to have attempted to develop a manufacture of this kind, and to have clubbed together a sum of £26,000 for the purpose. He thought that, looking at all the circumstances of the case, it was not at all an unfair or unreasonable thing, or a thing which the House should look coldly upon, that gentlemen who had expended £26,000 on the strength of an Act of Parliament should now come and say, "Do not deprive us, by any mere technicality, of 5,000 acres of land, which we thought we were fairly entitled to when spending our money. We failed in the main object we had in view; but we tried, to the best of our ability, to accomplish it, and, at all events, we are entitled to the 5,000 acres of land as a matter of fair dealing." Therefore he was prepared most heartily to support the second reading of this Bill. Of course, if any further information were required, and if a majority of the House thought such a course would be desirable, there could be no objection to send the Bill to a Select Committee, in order that the matter might be investigated still further; but, at the same time, he did not think there was much or anything to be gained by such a course.

Mr. BALLANCE, in reply, said he thought it would be advisable to refer this Bill to a Committee, and therefore would himself recommend that it be remitted to either the Waste Lands Committee or the Public Accounts Committee: probably the former would be the better Committee. With regard to the shareholders, he was assured they were numerous, and lived in various parts of the colony. The shares had not been bought by speculators. They had been for a long time unsaleable, and no speculator would touch them. The property of the company had depreciated to such an extent that the shares were looked upon as utterly valueless. He himself had no interest in the company. He knew some of the shareholders, and was acquainted with the circumstances under which the company was started. He believed there had been a great deal of false representation, and that the Taranaki people, instead of depreciating and denouncing this com-

Mr. Hutchison

pany, ought to have given it their best assistance; and he thought it a most unfortunate thing, considering the enterprise shown by the company, and the fact that it had expended £26,000 in an endeavour to establish such an important manufacture, that the Taranaki members should combine to destroy what prospect there remained for the company to obtain anything like justice.

Bill read a second time.

Mr. BALLANCE moved, That the Bill be referred to the Waste Lands Committee.

Mr. McLEAN thought the question involved was one of account, rather than a question affecting waste lands; and he would move, as an amendment, That the Bill be referred to the Public Accounts Committee.

Mr. WAKEFIELD pointed out that the Public Accounts Committee would be much more likely to deal with the Bill promptly than the Waste Lands Committee; and for that reason, and because the question involved was really a matter of account rather than one affecting waste lands, he would suggest that the Bill should be referred to the Public Accounts Committee.

Mr. BALLANCE said he had no feeling in the matter one way or the other, but believed the Bill would have to be referred to the Waste Lands Committee, according to the rules of the House.

Question put, "That the words 'Waste Lands Committee,' stand part of the question;" upon which a division was called for, with the following result:—

Ayes	...	...	...	...	27
Noes	...	...	...	...	22
Majority for	...	...	...	...	5

AYES.

Mr. Allwright,
Mr. Andrews,
Mr. Barron,
Mr. Bunny,
Mr. De Lautour,
Mr. Dick,
Mr. Gisborne,
Major Harris,
Mr. Hutchison,
Mr. Johnston,
Mr. Levin,
Mr. London,
Mr. Macandrew,
Mr. McCaughan,

Mr. Montgomery,
Mr. Moss,
Mr. Murray,
Mr. Reeves,
Mr. Seddon,
Mr. Sheehan,
Mr. Stewart,
Mr. Thomson,
Mr. Tomoana,
Mr. Turnbull,
Mr. Reader Wood.
Tellers.
Mr. Ballance,
Mr. Hislop.

NOES.

Major Atkinson,
Mr. Bain,
Mr. Bowen,
Mr. Gibbs,
Mr. Hall,
Mr. H. Hirst,
Mr. W. J. Hurst,
Mr. Hursthouse,
Mr. Kelly,
Mr. Oliver,
Mr. Pitt,
Mr. Richardson,

Mr. Rolleston,
Mr. Saunders,
Mr. Seymour,
Mr. Stevens,
Mr. Sutton,
Mr. Swanson,
Colonel Trimble,
Major Willis.

Tellers.

Mr. McLean,
Mr. Wakefield.

The amendment was consequently negatived, and the words "Waste Lands Committee" were ordered to stand part of the question.

Major ATKINSON would like to know whether the House was competent to deal with the question at all without the authority of the Crown. It appeared to him that the Bill dealt with Crown land.

Mr. SPEAKER was not prepared to give a decided opinion upon the point. It would be better to let the Bill go to the Waste Lands Committee. That would not debar the honorable gentleman from raising his objection on the third reading.

Major ATKINSON said he thought, when the question was raised by a Minister of the Crown, Mr. Speaker was bound to decide the point.

Mr. SPEAKER, in that case, would give his opinion that the Bill must now go to the Waste Lands Committee.

Mr. KELLY asked whether the House ought not to give instructions to the Committee. The object was to inquire into all the circumstances of the case.

Mr. SHEEHAN presumed that the rule of the House was that the Bill itself was an instruction to the Committee.

8 Mr. KELLY said that, in the case of a Waste Lands Bill, the functions of the Committee were very clear; but in this case the Committee ought to be instructed to inquire whether the company had performed its duty with regard to the Bill of 1874. That was a question entirely apart from the Bill itself, and this was the proper time to instruct the Committee on the matter.

Mr. SPEAKER said nothing could be done with the Bill now but to refer it to the Committee. Anything else must be done at a subsequent period. An instruction might be given at a future time to the Committee, if the member for New Plymouth would give notice to that effect.

Major ATKINSON asked what was the proper course to pursue, supposing a Bill slipped through by accident without the authority of the Crown, as this Bill appeared to have done. It infringed the rights of the Crown. Under these circumstances, he wished to know what was the proper course to adopt. There was no doubt an error had been committed, and he would like to know how it could be rectified.

Mr. SPEAKER said that, if a Minister of the

Crown had been negligent at a particular stage of a Bill, that did not debar him from bringing the matter before the House at a subsequent stage. The objection ought to have been taken before the introduction of the Bill, or before the second reading, and it could be made before the third reading.

Mr. SHEEHAN said the Minister should have made this protest before the Bill reached its present stage. He should now let the Bill go to the Committee, and put his foot down afterwards.

Mr. HALL said he had never had an opportunity of seeing the Bill until to-day: in fact, he had not seen it before the second reading was proposed.

Mr. WAKEFIELD would like to know whether a Bill dealing with waste lands of the Crown could be introduced without the consent of the Crown. He had often seen Mr. Speaker turn to Ministers and ask whether a particular Bill was introduced with their consent or not; and on several occasions leave to introduce a Bill had been refused simply because Ministers declined to give the consent of the Crown.

Major ATKINSON had always understood that, at any stage, when the rights of the Crown were interfered with by a Bill, the Speaker immediately interposed, upon his attention being called to the fact.

Mr. SPEAKER did not consider it was the Speaker's duty to act upon the advice of Ministers. He had his own judgment to guide him. He had already stated that, if the proper formalities had not been gone through, it would not be too late for a Minister to interfere, if he had grounds for doing so, when the Bill came to the third reading.

Mr. BALLANCE explained that when he asked a question in connection with this matter the Minister of Lands asked to be allowed time to see the papers connected with it, so that he presumed the honorable gentleman was familiar with all the Bill contained.

Mr. HUTCHISON said the Bill did not deal with any new question. There was an Act passed in 1874 which dealt with this land.

Mr. SPEAKER said the Treasurer alleged that it dealt with some additional land. He could not say whether it did or not.

Bill referred to the Waste Lands Committee.
The House adjourned at one o'clock a.m.

END OF THIRTY-THIRD VOLUME.



